



TRUTH,
RECONCILIATION
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COMMISSION

THE GAMBIA

REPORT

VOLUME 8

THE JUNGLERS

**UNLAWFUL KILLINGS, TORTURES AND
OTHER HUMAN RIGHTS VIOLATIONS**

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A. OVERVIEW

1. The twenty two (22) years of former **President Yahya Jammeh's** dictatorial rule was characterised by heinous human rights violations ranging from enforced disappearances, torture, arbitrary killings and unlawful detentions. These were systematically carried out by the state security apparatus such as the National Intelligence Agency (NIA), The Gambia Police Force and the Gambia National Army, pursuant to a state orchestrated policy, to deliberately silence any form of opposition and threat to **Yahya Jammeh's reign**.
2. Under the constitution, the President is the Commander-in-Chief of the Gambian Armed Forces¹, consisting of the Navy, Air Force and such other services established by statute.² The principal functions of the army are to defend the sovereignty and territorial integrity of The Gambia, aid civil authorities during emergencies and national disasters and engage in productive activities that are of interest to the livelihoods of the citizens. In doing so, the army is required to respect the fundamental rights and freedoms of citizens.³
3. In order to entrench himself in power, **Jammeh** set up a special group within the army without any legal basis for its operations and gave them the sole task of repressing anyone considered to be a critic or threat to his administration. This clandestine group of soldiers –which became known as the Junglers - was loyal only to the president and carried out all his orders without question. Their operations were generally covert in nature and they worked directly under the control and supervision of former **President Yahya Jammeh**. They carried out extra judicial killings, arbitrary arrests, detentions and torture on behalf of **Yahya Jammeh** with total disregard for the functions of the armed forces which is to defend the people and not oppress them.
4. The existence of this group was an open secret in the army, albeit their covert nature. The Junglers were the special squad of the president and they underwent special training in batches. In 2006, the activities of the Junglers started to become known to the general public, mainly because of the horrific nature of the atrocities they committed. Cases in point include the arson attack on *The Independent* Newspaper and the cruel aftermath of Ndure Cham's foiled coup. It was then that they became known as “*black black*”, derived from their dark dress code during their operations.
5. The Junglers were an amorphous group with fluid membership, at one point comprising of at least forty (40) personnel drawn from the State Guards Unit of the army.⁴ Their existence caused widespread fear and anxiety in the hearts of Gambians. This repressive environment made it easy for dictatorship to become increasingly entrenched and perpetuated. It gave **Jammeh** the fear factor to violate the rights of the people that voted him into power with absolute impunity, thus emboldening him to such an extent that he made a statement on Gambia Radio and Television Services (GRTS) threatening to personally supervise the killing of anyone who destabilised the country.⁵

¹ The 1997 Constitution of The Gambia Section 61.

² The 1997 Constitution of The Gambia Section 186.

³ The 1997 Constitution of The Gambia Section 188.

⁴ This is the Unit that is responsible for the protection of the President and State House and strategic installations.

⁵ <https://www.voanews.com/archive/gambia-opposition-rejects-jammehs-death-threat>

6. Defending **Jammeh** at all cost and carrying out his orders irrespective of how wrong and unlawful they were was integral to the operational psyche of the Junglers. To them, defending Jammeh's interest was defending the nation's interest. **Jammeh's** wishes became one and the same as the nation's wishes as far as the Junglers were concerned.⁶

7. As part of its mandate to investigate the fate and whereabouts of enforced disappearances, the TRRC began hearings on the Junglers and the extrajudicial activities of this ruthless group on 22nd July, 2019. Eight former Junglers confessed to their involvement in murdering more than eighty (80) individuals on the orders of **Yahya Jammeh**. They also admitted torturing detainees at the NIA and Mile II prisons.

8. Most victims of unlawful killings by the Junglers fall under one of the three categories:

- (a) *Those perceived by Jammeh to be security threats such as Dawda Nyassi, the West African migrants, Saul Ndow and Mahawa Cham, Daba Marenah and his group including Ebou Lowe, Alpha Bah, Alieu Ceesay and Malafi Corr; Ebou Jobe and Mamut Ceesay.*
- (b) *Vocal critics of Jammeh who challenged and condemned his self-perpetuating rhetoric and serious human rights violations. These included the highly respected and renowned veteran journalist Deyda Hydara, Haruna Jammeh and Masi Jammeh.*
- (c) *Business and close associates who fell out of favour with Yahya Jammeh, such as Baba Jobe, Ceesay Bujuling, Tumbul Tamba and Musa Jammeh.*

9. The following witnesses were Junglers who participated in the commission of serious human rights violations and abuses. They gave an account of the history, mindset, mode of operation, command structure and nature of violations committed by the Junglers:

- (a) *Malick Jatta alias Alfidie*
- (b) *Omar Jallow alias Oya*
- (c) *Amadou Badjie*
- (d) *Ismaila Jammeh*
- (e) *Alieu Jeng*
- (f) *Pa Ousman Sanneh*
- (g) *Lamin Sambou*
- (h) *Lamin Badjie*

10. Prior to testifying before the Commission, each of the witnesses was served a notice of adverse mention containing the summary of the allegations made against them, the source of the evidence and their right against self-incrimination. At the same time, they were also warned that lying to the Commission was a statutory offence and punishable under the law.

6 Professor Saine's report page 47 para 128

B. HISTORY OF THE JUNGGLERS/PATROL TEAM

11. **Francisco Caso** was an Italian mafia who came to The Gambia as a tourist.⁷ He conducted the maiden training programme for a small group of soldiers from the Gambian National Army.⁸ It is believed that **Francisco Caso** was introduced to **Almamo Manneh**, who sought his assistance to plan a coup against **Jammeh** in 2000. However, he betrayed **Almamo Manneh** and reported the coup plans to the NIA. He used this opportunity to portray himself as a competent and highly skilled military officer to entice the NIA. He was eventually hired to train a specialised group of soldiers.⁹ He was brought to the **President** and recommended by **Abdoulie Kujabi**, NIA Director General at the time.¹⁰

12. The specialised training became known as the "Jungler training" which entailed counter terrorism and VIP security.¹¹ During the training, live ammunition was used and the soldiers were equipped with skills to kill.¹² The criteria for selection of soldiers to the Jungler training largely depended on presupposed and perceived loyalty to **President Jammeh**.¹³ About fifteen (15) soldiers participated in the first training course.¹⁴ According to **Ismaila Jammeh**, the training with **Francisco Caso** took place in 1999.¹⁵ However, the testimony of **Omar Jallow (Oya)** suggested that **Francisco Caso** came into contact with the NIA during the period of **Almamo Manneh's** death in 2000.¹⁶

13. The first group of soldiers that participated in this training were **Famara Camara**, **Alieu Bojang**, **Lamin Senghore (Assassin)**, **Bubacarr Bojang**, **Momodou Lamin Tamba**, **Paul Bojang**, **Ousman Sanneh**, **Famara Sanneh (Zircon)**, **Wally Nyang** and **Ismaila Jammeh**.¹⁷

In 2002, the State Guards battalion in collaboration with the Libyan military conducted a Commando Training exercise for personnel of the Gambia National Army. Some soldiers that participated in the commando course were **Momodou Sanneh**, **Captain Modou Jallow**, **Jola Morro**,¹⁸ **Mawlud Colley**, **Sheriff Gissee**, **Sheik Omar Jeng**, **Biran Negett**, **Jerreh Sissawo**, **Alagie Chorr**, **Alieu Ceesay**,¹⁹ **Malick Jatta**,²⁰ **Captain Mustapha Faal**, **Sanna Manjang**²¹ and **Pharing Sanyang**²² and **Saihou Jallow**.²³

14. Some of the soldiers that benefitted from subsequent Commando trainings conducted by soldiers from the first cohort were **Abdoulie Baldeh**, **Adama Baldeh**, **Lamin Sanneh (Solo)**, **Sutukung Barry**, **Yusupha Sanneh**, **Alieu Jammeh**, **Modou Lamin Badjie**, **Nfansu Nyabally** and **Alieu Jeng**.²⁴

7 Testimony of Omar Jallow 23rd August 2019 line 254
8 Testimony of Omar Jallow 23rd August 2019 line 107-110
9 Testimony of Omar Jallow 23rd August 2019 lines 238- 323
10 Testimony of Ismailia Jammeh 5th August 2019 line 622-624
11 Testimony of Omar Jallow 23rd August 2019 line 119-113
12 Testimony of Omar Jallow 23rd August 2019 line 119-120
13 Testimony of Ismailia Jammeh 5th August 2019 line 1135-1141
14 Testimony of Ismailia Jammeh 5th August 2019 line 628
15 Testimony of Ismailia Jammeh 5th August 2019 line 586-747
16 Testimony of Omar Jallow 23rd August 2019 line 289-302
17 Testimony of Ismailia Jammeh 5th August 2015 line 636-686
18 Testimony of Alieu Jeng 8th August 2019 line 170-175
19 Testimony of Alieu Jeng 8th August 2019 line 184 -200
20 Testimony of Malick Jatta 22 July 2019 line 40-187
21 Testimony of Alieu Jeng 8th August 2019 line 166
22 Testimony of Alieu Jeng 8th August 2019 line 179
23 Testimony of Saikou Jallow 27-28th of May 2021.
24 Testimony of Alieu Jeng 8th August 2019 line 126-130

15. In 2004, **Ismaila Jammeh** was tasked with the responsibility of recruiting and recommending soldiers for the second Jungler training.²⁵ Thirty (30) soldiers participated in the second exercise, including **Saul Badjie, Bai Lowe, Dembo Jatta, Sambou Barrow, Buba Darboe, Solo Bojang, Omar Jallow (Oya), Lamin Sillah, Umpa Mendy, Muhammad Sambou, Barra Mboob, Ebrima Njie, Buba Darboe and the late Solomon Jammeh.**²⁶
16. Some of the soldiers that had undergone the Commando training later served as trainers for the third cohort of trainees, which included **Bora Colley, Solo Bojang, Ablie Jarjue, Michael Correa and Musa Badjie.**²⁷ Upon completion of their training, these soldiers were deployed to the State House as close protection officers to **Jammeh.**²⁸
17. Most of the commandos were deployed to the State Guards battalion at State House after their training. The State Guards battalion is responsible for the protection of the **President** and guard duties at Kanilai, Denton Bridge and key installations and projects of the **President**. Those deployed to the **President's** residence in Kanilai for general guard duties also conducted patrols along the Gambia/Casamance borders in Foni.²⁹
18. These two groups i.e., Junglers and Commandos were eventually merged into a single group and directly answerable to **Jammeh**.
19. In 2012, **Lamin Badjie, Lamin Busso and Lamin Sambou**, Police Intervention Unit (PIU) officers, the paramilitary wing of the Gambia Police Force, were transferred to the patrol team³⁰ by the Interior Minister, **Mr. Ousman Sonko.**³¹ Their initial assignment was to serve as spies whenever the **President's** convoy was travelling and report any suspicious activities and conversations.³²
20. Some Junglers / Patrol Team members were permanently based in Kanilai, at the residence of **President Jammeh** while others were stationed at **Baba Jobe's** (former close associate of **Jammeh**) former residence in Kololi.³³
21. Others were stationed at the State House as Close Protection Officers of the President.³⁴ During operations, they would all converge in Kololi or Kanilai for briefings. They carried out the orders of **President Jammeh** and committed murder and acts of torture. When preparing for operations, most of the Junglers/Patrol Team members consumed drugs and alcohol to enable them carry out their brutal operations with little or no inhibitions.³⁵
22. The team worked closely with the NIA and Prisons to carry out the orders of the **President** in torturing and unlawfully detaining individuals that were perceived to be threats to the **President**. Between 2001 and 2009, detainees such as the accused **2006 coup plotters, Imam Baba Leigh, Imam Ba Kawsu Fofana**, persons arrested in connection with the

25 Testimony of Omar Jallow 23rd August 2019 line 104-105

26 Testimony of Ismailia Jammeh 5th August 2019 line 1008-1010

27 Testimony of Omar Jallow 24th August 2019 line 328-337

28 Testimony of Omar Oya Jallow 23rd August 2019 line 154-173

29 Testimony of Malick Jatta 23rd July 2019 Line 99-133

30 Junglers, Jungulers/ Patrol team, Black/Black all refer to the same group

31 Testimony of Lamin Badjie 6th August line 149-171

32 Testimony of Lamin Sambou 7th August 2019 line 347-350

33 Testimony of Amadou Badjie 25th August 2019 line 614-626 / testimony of Malick Jatta 23rd July 2019 line 466-486

34 Testimony of Ismailia Jammeh 5th August 2019 line 1461-1468

35 Testimony of Malick Jatta 22 July 2019 line 727- 736

THE JUNGGLERS - Unlawful Killings, Tortures and other Human Rights Violations

Freedom Newspaper issue and many others were tortured by the Junglers at odd hours of the night at the NIA headquarters. The commonality in all of these incidents of torture was the perception by the State that all these individuals were threats to **Jammeh**, hence the systematic response to crush any form of dissent.

23. One of the Junglers' methods of killing victims was by suffocation. They would place a plastic bag over the heads of victims and tighten it or strangle them with ropes. Others were executed by gunshot at close range, in a manner closer to gangster-style killing than state sanctioned security executions. The government covered up some of the killings by issuing false statements. In the case of **Deyda Hydara** and the two Gambian-Americans, **Mamut Ceesay and Ebou Jobe**, and the **West African migrants**, the State gave misleading and unfounded accounts of their murders.
24. **Sanna Manjang and Solo Bojang** were the most feared Junglers. They were known for their brutality and gruesome manner of killing their victims. Bodies of victims were disposed of in locations identified by **Sanna Manjang and Solo Bojang**, who were generally regarded as the most notorious Junglers familiar with the terrain of thick forests and bushes in the Fonis and villages along the northern Casamance border. The disposal sites were carefully chosen. Sometimes the bodies were disposed of in farms owned and controlled by **Yahya Jammeh** and at other times in old wells along the border in Cassamance, Senegal.

C. CHAIN OF COMMAND OF THE JUNGGLERS

25. The Patrol Team started as a small unit in Kanilai commanded by **Tumbul Tamba** and his deputy **Solo Bojang, Sanna Manjang, Malick Jatta and Alieu Jeng** were members.³⁶ **Musa Jammeh** was one of the commanders attached to the Bodyguard Unit at the State House.³⁷ During that time, there were clusters of patrol teams.³⁸ **Tumbul Tamba** was reporting directly to **President Jammeh**, the commander in chief.³⁹
26. **Saul Badjie** was the Commander of the Republican National Guards, also known as the State Guards.⁴⁰ After the death of **Tumbul Tamba**, **Saul Badjie** became the overall commander of the Junglers⁴¹ while **Solo Bojang** took over as the Commander of the group in Kanilai and the overall deputy Commander of the Junglers.
27. **Nuha Badjie** acted as the liaison between the various groups within the Jungler outfit and **Saul Badjie.**⁴² He was the Commander of another group of Junglers with **Captain Modou Jarjue (Rambo)** as second in command. **Mustapha Sanneh, Lieutenant Michael Jatta, Lieutenant Michael Correa, WO2 Fansu Nyabally, WO2 Alieu Jeng, WO2 Modou Busso, Staff Sergeant Pa Sanneh, Staff Sergeant Abdoulie Jallow, Staff Sargent Malick Manga, Sergeant Omar Jallow (Oya), Amadou Badjie, Sulayman Sambou and Lamin**
- 36 Testimony of Malick Jatta 22 July 2019 line 264-281
- 37 Testimony of Omar Jallow 23rd 2019 line 154-155
- 38 Testimony of Malick Jatta 22 July 2019 line 293 264-281
- 39 Testimony of Malick Jatta 22 July 2019 line 424-435
- 40 Testimony of Lamin Badjie 6th August line 294
- 41 Testimony of Malick Jatta 22nd July 2019 line 1592-1594
- 42 Testimony of Amadou Badjie 6th August 2019 line 333-334

- Badjie** were all members of that group.⁴³ According to **Pa Ousman**, when he joined the team, **Michael Jatta** was the Operations Commander of the group.⁴⁴ As per the evidence, there were other clusters of the Jungler groups, however, the Commission did not receive sufficient evidence to identify their members. This was the special unit created within the Gambia Armed Forces by the **President** to eliminate individuals he perceived as threats and to instill fear in the hearts of the population. The group operated separately from the normal military hierarchy and norms, and they were not in any way answerable to the Chief of Defence Staff.⁴⁵
28. **Yahya Jammeh** had effective command and control over the members of the group. He determined where they were posted and where they stayed. He maintained direct contact with commanders of the groups such as **Tumbul Tamba, Saul Badjie, Solo Bojang, and Sanna Manjang**. **Yahya Jammeh** would occasionally communicate directly with the teams, overseeing their activities while they were on operations.⁴⁶
29. **Yahya Jammeh's** orders were implemented. Often times he would ask for proof of the execution of his orders - be it a killing or torture. In such instances, the Junglers would video record⁴⁷ their activities made in pursuance to or in obedience of the orders. Sometimes they would put their phones on speaker⁴⁸ or do a video recording so that **Yahya Jammeh** would hear or see what was going on.
30. **Yahya Jammeh** would occasionally give rewards to the Junglers for implementing his orders.⁴⁹ Often this would be in the form of cash, barbecue feasts or promotions⁵⁰.
31. The regiment and discipline requirements of the army were not always imposed on members of the Junglers - they were special. Some of them hardly reported for work and were not given regular duties.⁵¹ It was understood that they would be called when required to carry out **Yahya Jammeh's** assignments.⁵² They were able to get this privilege because they were a special group at the beck and call of **Yahya Jammeh** alone.
32. The Junglers used their privileged position to commit serious crimes and misdemeanors with impunity. They would smuggle *cannabis* across the border from Cassamance and the security personnel at the check points dared not stop or search them.⁵³ They were almost always drunk or high on drugs and the disciplinary rules were not applied to them. They were able to do so because they were feared as they were under the protection of **Yahya Jammeh**, the Commander-in-Chief.

⁴³ Testimony of Amadou Badjie 6th August 2019 line 312-366

⁴⁴ Testimony of Pa Ousman Sanneh 6th August 2019 line 124-125

⁴⁵ Testimony of Amadou Badjie 6th August 2019 line 378-380

⁴⁶ Testimony of Malick Jatta Commenting on the execution of Deyda Hydara. Malick heard Tumbul communicating with someone saying "Yes Sir, your excellency". He believed that that was Yahya Jammeh, the only person who could have been addressed in such a manner.

⁴⁷ Testimony of Saikou Jallow 27 May 2021 line 1450-1470

⁴⁸ Testimony of Yaya Darboe 18th November 2021 732-742

⁴⁹ Testimony of Saikou Jallow 27 May 2021 1367-1371

⁵⁰ Teestimony of Malick Jatta, 22 July 2019, lines 980 to 987; see also Testimony of Saikou Jallow

⁵¹ Testimony of Babucarr Jatta, 3rd October 2019, lines 1909 to 1985, page 85 to 88

⁵² Testimony of Malick Jatta 23 July 2019, lines 1470-1490

⁵³ Ibid

33. The Junglers did not respect the rank structure of the army. Due to their privileged position of being protected killers for the **President**, they treated their superiors with contempt and utter disrespect and nothing could be done about it. Even though they were junior in rank to their superiors, they wielded more power than them. They were also a much-feared group. They could virtually do anything and get away with it.
34. **Yahya Jammeh** would occasionally punish members of the Junglers who did not comply with his wishes. Such punishment could sometimes mean death. The killings of **Manlafi Corr, Tumbul Tamba and Musa Jammeh (Maliamungu)** are few examples of punishments **Yahya Jammeh** meted out on members of the Junglers who fell foul of his wishes.
- D. MANDATE OF THE GROUP**
35. In the early days of the Junglers, soldiers that were inducted into the group were briefed that their role was to protect the borders and the Gambian people from the Cassamance rebels. They were constantly reminded of their oath of secrecy and allegiance to the President, this according to **Malick Jatta** was the oath they swore to as soldiers when they were enlisted into the army.⁵⁴
36. They operated under the guise of a border patrol team and their missions were shrouded in secrecy. **Amadou Badjie** explained the rules of the patrol team as such.
- i. *"Even if the team goes without me I should not ask questions and if they come back also after their operation I should not ask any of them the type of job they have been doing or where they have gone, I should not ask any question pertaining to what they have been doing."*⁵⁵
37. During some of their operations, they were made to believe that they were engaging rebels that wanted to overthrow the government and thus their brutal responses to crush such persons were viewed as legitimate. **Malick Jatta** testified that this was done to make soldiers believe that carrying out the orders of President **Jammeh** was in essence, akin to protecting the national interest.⁵⁶ The evidence suggest that they were indoctrinated into believing that protecting **Jammeh** by all means and at all costs was paramount as doing so was defending the territorial and political integrity of the country. This distorted mindset was important to have complete control over the psychology of the Junglers so that they would not show any reservations in operations, no matter how brutal. This was the reason why the Junglers implemented the orders of **Jammeh** and carried out extra-judicial executions, tortures and other serious human rights violations and abuses.⁵⁷
38. The soldiers who were deployed to this special unit underwent specialised training in jungle warfare, commando tactics and other military courses. From the onset, the mindset to kill was intrinsically central to the trainings and soldiers developed that crude mindset. This mindset differed from the conventional mindset in the military to kill the enemy in conflict.

⁵⁴ Testimony of Malick Jatta 22 July 2019 225- 239

⁵⁵ Testimont of Amadou Badjie 6th August 2019 line 180-183

⁵⁶ Testimony of Malick Jatta 22 July 2019 line 580-582

⁵⁷ Testimony of Amadou Badjie 25th July 2019 line 290-308

39. **Omar Jallow (Oya)** testified that during their training, an incident occurred in the bush. The patrol team spotted individuals carrying cannabis on a bicycle. They were asked to stop but they refused. The team then opened fire at them and one of them died on the spot. Even though this was murder - an extrajudicial killing, there was no legal accountability or even investigations into the matter. In essence, even at that early stage, there was a burgeoning culture of impunity with regards to the operations of the Patrol Team. They had a leverage to do anything, including firing at unarmed civilians. The day after the incident in which a civilian was shot dead, **Francisco** praised the team for what he considered a job well done, saying "*yesterday Jungler is make a good job, is make a tak, tak, tak*" (sic), meaning "*Jungler fired and killed*".⁵⁸ Another incident that occurred during training was along Seliti highway. The patrol team stopped a vehicle but the driver refused to stop, so they fired at the vehicle killing two occupants. Just like the previous incident, no Jungler was arrested for these killings and there was no investigation into the circumstances of the incident and **Francisco** was very happy because he enjoyed killing.⁵⁹
40. Junglers were absolved from any form of legal responsibilities for any killings or any form of human rights violations they committed. From their training, these soldiers developed a mindset that they should obey and carry out all orders that were given to them by their commanders⁶⁰ regardless of whether such orders were lawful or not. Below is a summary of the operations carried out by the Junglers.

E. UNLAWFUL KILLING OF ALMAMO MANNEH

41. **Almamo Manneh** was a member of the State Guards. Sometime in the year 2000, **Almamo** was suspected of planning to overthrow **Yahya Jammeh** together with **Lt. Landing Sanneh**. He was lured to Bund Road by **Ousman Sonko** and other members of the GNA and killed under the orders of **Yahya Jammeh**.
42. **Ismaila Jammeh** testified that sometime in 2000, when he was an orderly to the President, **Abdoulie Kujabi**, the deputy director of the NIA at the time, came to Kanilai to see the President. They called **Musa Jammeh (Maliamungu)** and himself (**Ismaila Jammeh**) to listen to a voice recording.
43. He was the one that provided a cassette player so that they could hear the recording properly. He heard the voice of **Landing Sanneh**, a relative of the President and former commander of the State Guards plotting a *coup d'état* with **Musa Jammeh**, and **Ousman Sonko**'s voice was also heard on the tape. The tape was covertly recorded by **Ousman Sonko**, who was later rewarded by **Jammeh** for his loyalty and subsequently promoted to the positions of Inspector General of Police and thereafter Minister of Interior.
44. During the questioning, he admitted that **Abdoulie Kujabi**, **Musa Jammeh** and **himself** were all relatives of **Yahya Jammeh**. After listening to the recording, they decided to apprehend the alleged coup planners.⁶¹

⁵⁸ Testimony of Omar Oya Jallow 23rd August 2019 line 327-370
⁵⁹ Testimony of Omar Oya Jallow 23rd August 2019 line 376-405
⁶⁰ Testimony of Amadou Badjie 25th July 2019 line 1530-1533
⁶¹ Testimony of Ismailia Jammeh 5th August 2019 line 1479 -1581

45. He joined **Musa Jammeh** and some other President's bodyguards, including **Lalo Jaiteh**, **Buba Jammeh** and **Seedy Baldeh**. They left Kanilai with their personal AK47 rifles and live rounds. The plan was to launch the operation at Sting Corner, three (3) kilometers from Banjul by setting up an ambush for **Almamo Manneh** in the mangrove swamps. However, when the two groups met with **Ousman Sonko**, he informed **Lalo Jaiteh** to divide the group and that **Lalo**'s group was to go and wait at Denton Bridge while the group to be led by **Ousman Sonko** would go to Banjul and arrest **Almamo Manneh**. **Ousman Sonko** left with **Musa Jammeh**, **Buba Jammeh**, **Ismaila Jammeh**, **Seedy Baldeh** and **Omar Sonko**.⁶²
46. **Ousman Sonko** called **Almamo Manneh** on his phone and put him on speakerphone. He told him that he wanted to discuss some issues with him and invited him and **Almamo** agreed to meet him.
47. According to **Ismaila Jammeh** 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 allegedly opened fire on them. **Sonko** dived to the ground as the others opened fire and killed **Almamo Manneh**.⁶³
48. They put his body in the back of **Ousman Sonko**'s official vehicle and headed toward **Landing Sanneh**'s residence at Mile 7, Bakau. Under cross examination, he insisted that the operation was planned that way, and that was why they did not go to **Almamo Manneh**'s house, emphasizing that they had no intention of killing him. He stressed that they only shot **Almamo Manneh** when he opened fire on them and he believed that it was the will of God that the incident occurred that way.⁶⁴
49. **Lalo Jaiteh** stated that a while after **Ousman Sonko**'s group departed, they returned and **Ousman** asked him and his group to remain at Denton Bridge while he (**Ousman**) and his group would go to arrest **Landing Sanneh**. According to **Lalo Jaiteh**, he asked **Ousman** about **Almamo** and **Ousman** told him that he was in the boot. **Lalo** checked the boot and found the dead body of **Almamo** in the boot. He asked questions, but **Ousman** told him that **Almamo** resisted arrest and fired at them that is why they killed him.⁶⁵ **Lalo Jaiteh** did not believe the story he was given by **Ousman Sonko**. He believed instead that **Ousman Sonko** and his group deliberately and without lawful justification murdered **Almamo Manneh**.
50. **Ousman Sonko**'s group then left **Lalo Jaiteh** and his group and moved to **Landing Sanneh**'s residence. When they arrived at **Landing**'s residence, they surrounded the place and asked him to come out. Then they heard him calling **Almamo** and officers at Denton Bridge to come and assist him. **Landing** threw a grenade at them and wanted to escape through the back door. Then they opened fire on him and captured him, but they did not beat him. However under cross examination, **Ismaila Jammeh** stated that it was God that saved **Landing** from being killed⁶⁶ even though he was shot on the arm. They took him to **Pierre Mendy**, the commander of the Military Police at Yundum and also handed over the body of

⁶² Testimony of Lalo Jaiteh, 26 September 2019, lines 228-269
⁶³ Testimony of Ismailia Jammeh 5th August,2019 line 1612-1847
⁶⁴ Testimony of Ismailia Jammeh 5th August,2019 line 1887-1938
⁶⁵ Testimony of Lalo Jaiteh, 26 September 2019, lines 228-269
⁶⁶ Testimony of Ismailia Jammeh 5th August 2019 line 1948-2037

Almamo Manneh to Pierre Ismaila Jammeh claimed he then left for State House and then to Kanilai, and did not know where **Almamo** was buried.⁶⁷ The body of **Almamo Manneh** was buried in an unmarked grave at the Yundum Barracks near the clinic area⁶⁸.

51. **Ismaila Jammeh's** testimony regarding the conduct of **Almamo Manneh** at the point he was being shot is doubtful. In the first instance he told the Commission that **Almamo** pulled a pistol and then he was shot and killed. He later suggested that **Almamo** did not only pull a pistol, but he fired at them. The Commission finds that the witness realised that he may be found culpable for murder on account of his first story, then he changed it to suggest that they were acting in self defence. In addition, the demeanour and general attitude of **Ismaila** during his testimony is far from convincing, leaving serious questions about his credibility. On this basis, the Commission finds that the statement by **Ismaila Jammeh** suggesting that **Almamo** fired at them and they killed him in self defence is doubtful and intended mainly to shield himself from responsibility.

52. The conduct of the group that attacked **Almamo** should be contrasted with their conduct with regards to the arrest of **Lt. Landing Sanneh**. **Sanneh** is said to have thrown a grenade at the team when they went to arrest him. However, he was only shot at the arm. The group had ample opportunity to kill him but did not, ostensibly because he was a relative of the **President**. The same treatment could have been accorded **Almamo Manneh**, but was not. It may be speculated that they intended to kill **Almamo** as opposed to **Landing Sanneh**.

53. Even though the Commission believes that the statements of **Ismaila Jammeh** and his demeanor during his testimony raise questions about his credibility, the evidence suggesting that they deliberately/intentionally killed **Almamo Manneh** is speculative and not based on any other independent evidence apart from the evidence of the suspect - **Ismaila Jammeh** himself. As such, as it presently stands, the Commission has no legally acceptable basis to make a negative/adverse finding against **Ismaila Jammeh** and the group that killed **Almamo Manneh**. That being the case, the Commission concludes that this matter requires further investigation.

F. THE UNLAWFUL KILLING OF MOMODOU DUMBUYA

54. After the killing of **Almamo Manneh**, **Momodou Dumbuya** believed that he was the next to be arrested and dealt with by members of the State Guards. He ran from State House and was pursued by State Guard personnel. They caught up with him at the beach behind the Albert Market in Banjul and shot him dead. His body was dragged to State House and later taken to Yundum barracks where it was buried together with the body of **Almamo Manneh**.

55. The evidence available did not reveal who actually shot **Momodou Dumbuya**. The Commission notes however, that **Yahya Jammeh** ordered no investigation of the case and that nobody was arrested on account of this matter.

⁶⁷ Testimony of Ismailia Jammeh 5th August 2019 line 2077-2080

⁶⁸ Testimony of Pierre John Mandy 19th November 2019 line, 100-138

56. In view of the fact that **Momodou Dumbuya** was killed in connection with the alleged **Almamo Manneh** planned coup, and in view of the fact that they were pursued on the orders of **Yahya Jammeh**, the Commission concludes that **Yahya Jammeh** was aware of and at minimum condoned this killing. For this reason, the person responsible for the killing of **Momodou Dumbuya** is **Yahya Jammeh**.

G. UNLAWFUL KILLING OF DAWDA NYASSI

57. **Dawda Nyassi** was one of the Gambian fighters who participated in the Liberian war. He returned to Gambia and **Jammeh** suspected that he may have been working on plans to overthrow him. **Jammeh** ordered Junglers to kill him.

58. **Malick Jatta** testified that at an unknown date, **Tumbul Tamba** briefed him, **Sanna Manjang** and **Aliue Jeng** in Kanilai that there were some dissidents from Liberia who **Jammeh** brought back, but they were not grateful. He informed them that these dissidents were planning an insurgency that must be stopped. After the briefing, **Tumbul** travelled to the Kombos for some reconnaissance patrol.⁶⁹

59. When **Tumbul** came back, he told them that they were going for a mission, but did not brief them about the mission.⁷⁰ They boarded **Tumbul's** vehicle and drove to Serrekunda behind the Plaza Cinema where they parked the vehicle. **Tumbul** got out of the vehicle and called someone on the phone. Soon afterwards, a man appeared from the dark and **Tumbul** ordered him to enter the vehicle. They drove through Serrekunda to the airport road and stopped at a forest in Bafuloto. During those days, the place was bushy and there were no people living around that area.⁷¹

60. According to **Malick Jatta**, **Tumbul** got out of the vehicle, pulled the man by his shirt and said to them, "*Gentlemen, this is the idiot.*"⁷² He pushed the man down, released a shot and asked them to shoot the man. Just before releasing a shot, **Malick Jatta** said to the man, "*in the interest of my country we are ordered to gun you down*".⁷³ All four of them shot the victim to death.⁷⁴

61. At the beginning of his evidence on this issue, **Aliue Jeng** stated that he did not carry any weapon⁷⁵ and the others had no weapons either.⁷⁶ When they arrived at Bafuloto, he stayed in the vehicle and the rest took the man into the bushes for about an hour and came back without him. He stated that he did not hear anything.⁷⁷ When he was confronted with the testimony of **Malick Jatta**, on the issue, he denied it at first,⁷⁸ however under cross examination, he was confronted with his police cautionary statement (admitted as Exhibit 69), which was taken on the 25th of May 2017, with his thumb print, and in which he stated ...

⁶⁹ Testimony of Malick Jatta 22 July 2019 line 566-507 page 23

⁷⁰ Testimony of Malick Jatta 22nd July line 530-531 / Testimony of Aliue Jeng 8th August line 497-593

⁷¹ Testimony of Malick Jatta 22 July 2019-line 539-557 page 25- 26 / Testimony of Aliue Jeng 8th August line 531 -533

⁷² Testimony of Malick Jatta 22 July 2019 line 561—562 page 26

⁷³ Testimony of Malick Jatta 22 July 2019 line 580-582

⁷⁴ Testimony of Malick Jatta 22 July 2019 line 572-579 page 27

⁷⁵ Testimony of Aliue Jeng 8th August2019, line 514-515

⁷⁶ Testimony of Aliue Jeng 8th August 2019 line 588-592

⁷⁷ Testimony of Aliue Jeng 8th August 2019 line 581-614

⁷⁸ Testimony of Aliue Jeng 8th August line 519- 584

- ii. "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 1900 hours, he picked myself, Malick Jatta and Tumbul himself drove us to Serrekunda. Reaching at Serrekunda, Brikama garage 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 minute, he drove towards Serrekunda Primary School, still continue communicating all of a sudden, we saw a man coming. Upon his arrival Tumbul greeted the man and asked him to enter the car. He drove the car via Churchill's Town and finally to a place behind the airport where he stopped and asked the man to come down from 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."
- (a) He eventually admitted that what was written in the statement was true and that he lied to the Commission.⁷⁹
62. Malick 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 Liberia.⁸⁰
- H. UNLAWFUL KILLING OF NDONGO MBOOB**
63. According to **Malick Jatta**, this was his second mission. He did not participate in the mission but he was present. **Tumbul Tamba, Solo Bojang, Sanna Manjang, and Alieu Jeng** were also part of the group. During that time, they were in Kanilai. **Tumbul Tamba** informed them that they were going for normal patrol. On their way, they drove along the Trans Gambia highway through the villages of Mandinaba, Bulock, Sibonor and Bwiam. At some point in Bwiam, a car approached them from Kombo and stopped. He was in **Solo**'s vehicle, the Commanders got out and met with some people dressed in civilian clothing. 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 handing over and taking over of a civilian. **Solo** boarded the vehicle and they made a U-turn back to Bwiam.
64. 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 then he heard a shot and **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. **Solo** told him that the place is Bunubor Garden Fence 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 the man did not come back.⁸¹

79 Testimony of Alieu Jeng 8th August 2019 line 1307-1376
80 Testimony of Malick Jatta 22July 2019line 603-635 page 29
81 Testimony of Malick Jatta 22nd July 2019 line 622- 735

65. **Alieu Jeng** denied knowledge about the killing of **Ndongo Mboob**, stating that he had never met **Ndongo Mboob**⁸² on the second day of his testimony, he was confronted with the testimony of **Malick Jatta** suggesting that he was present at the time **Ndongo Mboob**'s murder but he denied it insisting that he was not present.⁸³ **Alieu Jeng** consistently lied about his participation in the executions. His contradictory statements also demonstrate that he was not credible. The Commission finds **Malick Jatta**'s testimony about the role of **Alieu Jeng** more credible.
66. The perpetrators of the unlawful killing of **Ndongo Mboob** are- **Malick Jatta, Tumbul Tamba, Solo Bojang, Sanna Manjang** and **Alieu Jeng**
- I. UNLAWFUL KILLINGS OF HARUNA JAMMEH AND MOMODOU LAMIN JASAJA KUJABIE**
67. **Haruna Jammeh** was President Jammeh's brother. **Momodou Lamin "Jasaja" Kujabie** was their cousin. **Saikou Jallow** told the Commission that **Yahya Jammeh** ordered the Junglers to kill **Haruna Jammeh** and **Jasaja Kujabie** because he (**Jammeh**) was told by **Tumbul Tamba** that **Haruna Jammeh** was planning together with **Jasaja Kujabi** to eliminate him so that they could take all his properties.
68. **Haruna Jammeh** was arrested on July 14, 2005⁸⁴ by the NIA in Kanilai and detained at the NIA headquarters in Banjul for about three months.⁸⁵
69. 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 Headquarters.⁸⁶ When **Haruna** was handed over to them, **Omar Jallow (Oya)** and **Alieu Jeng** sandwiched him at the back seat, while **Solo Bojang** drove the vehicle.⁸⁷
70. According to **Omar Jallow (Oya)**, he knew **Haruna** very well and used to eat at his home in Kanilai. During their journey, Haruna asked him where they were going and he responded that they were going to Kanilai.⁸⁸ They drove through the back road leading to Kanilai into the bush, and stopped.
71. He described the execution as follows: "**Sanna Manjang** came down, to bring out a rope give it to us, **Me and Jeng** that we should tie it at the neck of **Haruna** and fall 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 we round it to **Haruna**'s neck." He stated that he thought they were threatening him at that point. Each held one side of the rope and tied the knot to strangle him.
72. He said "**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

82 Testimony of Alieu Jeng 8th August 2019 1140-1145
83 Testimony of Alieu Jeng 19th August 2019 217-234
84 http://www.kaironews.com/why-jammeh-killed-his-brother-sister/
85 Testimony of Malick Jatta 23rd July 2019 line 935- 959
86 Testimony of Omar Oya Jallow, 23rd August 2019 line 674-678
87 Testimony of Omar Oya Jallow, 23rd August 2019 line 680-685
88 Testimony of Omar Oya Jallow, 23rd August 2019 line 686-689

- place and stamped on the neck of **Haruna** and he died.” He admitted that the three of them killed **Haruna Jammeh** in cold blood. He also admitted that he was close to the latter and he considered him a friend.⁸⁹
73. On the first day of his testimony, **Alieu Jeng** denied being involved in the killing of **Haruna Jammeh** and when he was asked if he knew **Omar Jallow (Oya)**, he said yes and that they once lived in the same premises. He also stated that he never had any problems with **Omar Jallow (Oya)**. When he was confronted with **Omar Jallow’s (Oya)** evidence, he stated that may be **Oya** was misguided and he insisted that he did not participate in the killing of **Haruna**.⁹⁰ After promising to speak the truth on the second day of his testimony, he admitted that they picked up **Haruna** from the NIA 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 around **Haruna’s** neck, they were hesitant so **Manjang** got down from the vehicle, grabbed **Haruna’s** throat and pressed the throat until he died; and they stepped back and did not assist him.⁹¹ When confronted with the testimony of **Omar Jallow (Oya)** on how **Haruna** was killed, he admitted that they did tie the rope around **Haruna’s** neck, but insisted that they did not pull the rope, and that **Sanna Manjang** pushed them aside, sat on top of **Haruna** and strangled him to death. He changed his story yet again and admitted that he lied to the Commission when he said he did not know anything about the killing of **Haruna** and admitted that he participated in the killing of **Haruna**.⁹²
74. **Omar Jallow (Oya)** testified that after killing **Haruna Jammeh**, they dumped the body in the same well as the Ghanaian migrants.⁹³ On their way home, **Solo Bojang** informed him that **Yahya Jammeh** gave an executive order for **Haruna Jammeh** to be killed because he connived with Jasaja, to kill **Yahya Jammeh’s** shopkeeper. He emphasised that he, **Alieu Jeng** and **Sanna Manjang** killed **Haruna** while **Solo Bojang** sat in the vehicle.⁹⁴
75. The perpetrators of the unlawful killing of **Haruna Jammeh** are **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang**, **Omar Jallow (Oya)** and **Alieu Jeng**.
76. **Omar Jallow (Oya)** 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 he said “ok”. That evening, he told **Adama Saidy** 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**. 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** then told him, “we went for **Jasaja**; I have taken him to my well”, which means that he had killed **Jasaja** and dumped his body in the well where they dumped **Haruna’s** body.⁹⁵

89 Testimony of Omar Oya Jallow, 23rd August 2019 line 689-715
90 Testimony of Alieu Jeng 8th August 2019 line 2237-2375
91 Testimony of Alieu Jeng 9th August 2019 line 239-259
92 Testimony of Jeng 9th August 2019 line 289-410
93 Testimony of Omar Oya Jallow, 23rd August 2019 line 717-718
94 Testimony of Omar Oya Jallow, 23rd August 2019 line 725-730
95 Testimony of Omar Oya Jallow 23rd August 2019 line 749-760

77. **Saikou Jallow** told the Commission that **Yahya Jammeh** confessed to him that he regretted the killings of **Haruna Jammeh**, **Masi Jammeh** and **Jasaja Kujabie**. He lamented that he was misled by **Tumbul Tamba** into believing that those members of his family were planning to kill him so that they could take his properties.⁹⁶
- The perpetrators of the unlawful killing of **Jasaja Kujabie** are **Yahya Jammeh**, **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang**, and **Alieu Jeng**.
- J. UNLAWFUL KILLING OF WEST AFRICAN MIGRANTS**
78. On or about July 22, 2005, approximately sixty seven (67) economic migrants from West Africa, many of whom were Ghanaians, started a “backway” journey (illegal migration) 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. About six (6) of them descended in Banjul some of whom were soon arrested, while the rest went to Barra in their boat. At Barra, they were arrested by the security officers and taken to Barra station. They were taken from Barra that evening by members of the security forces and brought by a navy boat to the Marine Unit in Banjul. They were subsequently put on buses and transported to Kombo, first at Kairaba Police station and then to various places of detention. The arrested migrants were subsequently taken away from their respective places of detention and executed by the Junglers.
79. According to the testimony of **Malick Jatta**, sometime in 2005, while he was in Kanilai, they were asked to assemble by the Commanders. The team comprised of **Solo Bojang**, **Tumbul Tamba**, **Sanna Manjang**, **Alieu Jeng**, **Michael Jatta**, **Fansu Nyabally**, **Mustapha Sanneh** and himself. They were all dressed in combat gear like they were going to war. They headed towards Wonni, where **Jammeh** had land and they saw a convoy approaching. **Solo Bojang** made a U-turn towards Cassamance.⁹⁷
80. **Omar Jallow (Oya)**, 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 Jallow (Oya)**, **Solo Bojang**, **Sanna Manjang**, **Alieu Jeng**, and **Malick Jatta** were assigned to go with the driver (**Buba Jallow**).⁹⁸ **Sanna Manjang** led the briefings for the second group that was going to Banjul and this included **Lieutenant Colonel Sarjo Jarjue**, **Bai Lowe**, **Musa Badjie** and **Kawsu Camara (Bombardier)**.⁹⁹
81. In terms of **Alieu 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. He however, said that he did not know who killed them and how they were taken there.¹⁰⁰

96 Testimony of Saikou Jallow 27th May 2021 line 1018-1084
97 Testimony of Malick Jatta 23rd July 2019 lines 185-228
98 Testimony of Omar Oya Jallow 23rd July 2019 page 36 lines 417-422
99 Testimony of Omar Oya Jallow 23rd July 2019 page 36 lines 435-438
100 Testimony of Alieu Jeng 8th August 2019 line 2477-2485

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.¹⁰¹

82. **Omar Jallow (Oya's)** group picked up some of these migrants from a property near Cocunut Residence. These individuals were arrested and under the temporary detention of the paramilitary officers.¹⁰² When the arrested men, about thirty of them, whom he referred to as Ghaninans, were handed over to them, they transported them in two vehicles.¹⁰³ **Alieu 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.¹⁰⁴

83. According to **Malick Jatta**, when they were joined by the convoy from Banjul, they drove through a bush path further into Cassamance and when they reached a certain destination, the vehicles stopped. **Solo Bojang** pulled off the migrant who was in the lead vehicle and walked with him until they got close to an old ditch and **Solo Bojang** ordered him (Jatta) to shoot the man. **Malick Jatta** 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 he remained there.¹⁰⁵ The site of the execution was an old well. The victims were shot and they fell into the old well. **Malick Jatta** said that after the executions, he asked who the victims were and **Solo Bojang** told him, "*these are mercenaries that were arrested somewhere in Kombo by the NIA.*"¹⁰⁶

84. He stated that **Bai Lowe** told him that the other victims were killed and dropped on the road. **Sanna Manjang** found one of the victims that had escaped and killed him near a village called Bambara. He said he thought that was the person he allowed to escape,¹⁰⁷ but who eventually met his cruel death in the hands of the Junglers.

85. According to **Omar Jallow (Oya)**, after picking up the Ghanaians, they drove to Foni, in the direction and surroundings of Kanilai, behind the fence of land owned by **Yahya Jammeh**. Then they ventured into Casamance. When they arrived at their destination, **Solo Bojang** briefed the Junglers 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 he and **Alieu Jeng** 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 old well. While escorting them, he found out that these people were trying to travel to Europe through the backway.¹⁰⁸ This was confirmed by **Alieu Jeng** who testified that when they escorted the

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victims into the forest, they sat them down on the ground.¹⁰⁹ He corroborated **Omar Jallow (Oya'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.¹¹⁰

86. **Malick Jatta** was confronted with the witness statement of **Omar Jallow (Oya)** in which it was suggested that about fifteen (15) victims were handed over to him (**Jatta**) and **Sanna Manjang** and they carried out the executions. **Malick Jatta** denied that allegation and stated that he only shot 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 he chose not to.¹¹¹ He stated that he could not tell the exact number of victims killed but they were more than seven (7). He was also challenged about the statement that two batches of fifteen (15) victims were brought and handed over to him and **Sanna Manjang** who in turn killed the victims. He denied this account and insisted that he only killed one person.¹¹²

87. **Omar Jallow (Oya)** stated that one of the victims gave him a \$100 note and asked for 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.¹¹³ He stated that the assertion by **Malick Jatta** that he only shot one person and returned to his car and did not participate in any more killing was false. He emphasized 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 former and the latter.¹¹⁴

88. According to **Alieu Jeng**, **Solo Bojang** was in charge of the operation and he was getting his orders from **Tumbul Tamba**. The latter was getting orders from **Yahya Jammeh** and that all orders came from **Jammeh**.¹¹⁵

89. In addition to **Yahya Jammeh**, a total of eleven (11) soldiers were involved in this mission, namely: **Kawsu Camara (Bombardier)**, **Bai Lowe**, **Musa Badjie**, **Tumbul/Tamba**, **Sanna Manjang**, **Solo Bojang**, **Malick Jatta**, **Alieu Jeng**, **Omar Jallow (Oya)**, **Lamin Sillah** and **Buba Jallow**.¹¹⁶ All 12 of them are responsible for the murder of the West African migrants. The Commission has looked into the issue of the West African migrants in greater detail in its investigation on that theme (see volume 12 of the TRRC Report).

K. ATTEMPTED ASSASSINATION OF OUSMAN SILLAHL

90. Apart from the letters **Lawyer Sillah** wrote to **Yahya Jammeh** protesting **Jammeh's** positions and challenging him to hand over power, **Lawyer Sillah** also represented several persons who were being prosecuted by the **Jammeh** government. **Lawyer Sillah** represented **Pap Saine** who was arrested and detained for certain publications he made in *The Point* Newspaper

101 Testimony of Alieu Jeng 8th August 2019 line 2498-2504

102 Testimony of Omar Oya Jallow 23rd July 2019 lines 442- 450-

103 Testimony of Omar Jallow 23rd July 2019line 424-428

104 Testimony of Alieu Jeng 19th August 2019 line 45-104

105 Testimony of Malick Jatta 23rd July 2019 -page 11-16 line 225-321

106 Testimony of Malick Jatta 23rd July lines 398-409

107 Testimony of Malick Jatta 23rd July lines 422-437

108 Testimony of Omar Jallow 23rd July 2019 line 485-516

109 Testimony of Alieu Jeng, 19 August 2019, lines 31 to 42

110 Testimony of Alieu Jeng 8th August 2019, line 2561-2572

111 Testimony of Malick Jatta 23rd July 2019325-359 page 16

112 Testimony of Malick Jatta 23rd July 2019 361- 375 17-18

113 Testimony of Omar A Jallow Day 70 Part 1 23.07.19.

114 Testimony of Omar Jallow 23rd July 2019 lines 531-578

115 Testimony of Alieu Jeng 8th August 2019 lines 122-175

116 Testimony of Omar Jallow 23rd July 2019 line 469-483

which were viewed as not portraying the **Jammeh** government in good light.¹¹⁷ **Baba Jobe** was a very powerful and close associate of **Yahya Jammeh** who fell out with **Jammeh** and was arrested and charged with several economic crimes. **Lawyer Ousman Sillah** became the lead defence Counsel for **Baba Jobe**.

91. **Yahya Jammeh** wanted to have **Baba Jobe** incarcerated at all costs and the defence being provided by **Lawyer Ousman Sillah** was an obstacle. **Yahya Jammeh** ordered the Junglers to assassinate **Lawyer Ousman Sillah**.¹¹⁸

92. Sometime in December 2003, **Lawyer Ousman Sillah** was returning home at night from a wedding ceremony of his niece. When he arrived at the gate of his compound, he realised that he was being trailed by a pick-up vehicle. As he stopped at his gate waiting for the gate to be opened by his watchman, he saw two figures approaching him. They were two men both armed with rifles. They shot him multiple times on the head and on the face and left the scene in their pick-up vehicle similar to the types then used by the Gambia National Army¹¹⁹. Upon realising that his assailants have left the scene, **Lawyer Sillah** managed to stagger into his compound and called for help. He was taken to a nearby hospital and later evacuated to Senegal for further treatment. **Lawyer Ousman Sillah** survived the attempt to assassinate him but with permanent damages to his body.¹²⁰

93. **Bai Lowe** who was a member of the Jungler squad sent to assassinate **Lawyer Ousman Sillah** would later reveal to Freedom on line newspaper how they were ordered by **Yahya Jammeh** to assassinate **Lawyer Ousman Sillah**. The Junglers attempted to carry out the plan, but they failed by divine intervention.

94. **Saikou Jallow** in his testimony before the Commission stated that **Yahya Jammeh** had always told him how **General Sulayman Badjie** was a coward. **Jallow** decided to ask **General Badjie** the reasons why Jammeh always called him out as a coward. According to **Jallow**, **Badjie** explained to him that when **Jammeh** ordered them to assassinate **Lawyer Ousman Sillah** he had a clear chance to kill **Lawyer Sillah** but he decided not to do so and walked away. Jammeh was not happy with that because **Lawyer Ousman Sillah** survived the gunshots inflicted on him by the other members of the squad. **General Badjie** then advised **Saikou Jallow** to never kill for **Yahya Jammeh**.¹²¹

95. The above clearly shows that **Yahya Jammeh** ordered **Ousman Sonko**, **Tumbul Tamba**, **Sulayman Badjie**, **Bai Lowe** and others to assassinate **Lawyer Ousman Sillah**. All of them are responsible for the attempted murder of **Lawyer Ousman Sillah**.

L. UNLAWFUL KILLING OF DEYDA HYDARA

96. **Deyda Hydara** was a veteran journalist and co-owner of *The Point* Newspaper. His paper carried a regular column by him called “Good Morning Mr. President” in which

¹¹⁷ Testimony of Pap Baboucarr Saine 18th July 2019 372-397

¹¹⁸ Lawyer Ousman Sillah explains how he survived an assassination attempt by Jammeh's hit squad (gambiana.com)

¹¹⁹ Lawyer Ousman Sillah breaks his silence | Opinion | Mamos Media LTD (mamostv.tv)

¹²⁰ Lawyer Ousman Sillah explains how he survived an assassination attempt by Jammeh's hit squad (gambiana.com)

¹²¹ Testimony of Saikou Jallow 27th May 2021, 900-973

he often raised issues critical of **Jammeh**. **Yahya Jammeh** believed that **Deyda Hydara** was an obstacle to his plans to entrench himself in power. He ordered the Junglers to assassinate him.

97. **Malick Jatta** testified that in December 2004, they were all summoned for normal patrol at Kanilai. When they all converged, **Tumbul Tamba** said to them, “*Today we are going for the magic pen*”. He stated that normally they will use codes to conceal their operations but he did not know what it meant then.¹²²

98. **Malick Jatta**, **Alieu Jeng** and **Sanna Manjang** boarded **Tumbul Tamba**'s vehicle and they headed to the Kombos.¹²³ When they arrived at Kanifing, they drove into a garage, parked the vehicle and boarded a taxi Benz 200.¹²⁴ **Tumbul** was the driver, **Sanna Manjang** sat on his right, **Alieu Jeng** and **Malick** sat in the back seat.¹²⁵ According to **Malick Jatta**, the said garage belonged to **Yaya Jammeh**.¹²⁶

99. They drove up to Traffic Lights and stopped. **Malick Jatta** testified that **Tumbul Tamba** was in communication over the phone with the **President** saying, “*Yes Sir; and Your Excellency.*” He believed that **Tumbul** was receiving instructions from the President at that point.¹²⁷ This would link Jammeh directly with the murder of **Hydara**. **Alieu Jeng** also confirmed that **Tumbul** was indeed communicating with someone on the phone, but he could not recall what was said.¹²⁸

100. **Malick Jatta** testified that the group of **Kawsu Camara (Bombardier)** and one of the commanders, **Manlafi Corr**, were also driving in a Mercedes Benz V-Boot 190 taxi. **Bai Lowe** was **Bombardier**'s driver and **Michael Correa** was in **Manlafi Corr**'s team.¹²⁹ The groups were communicating with each other and sharing information with **Tumbul**.¹³⁰

101. According to **Malick Jatta**, they trailed a small vehicle around Westfield, close to the Police Garage. **Tumbul** drove adjacent the vehicle then said: “*Gentlemen the driver is the idiot.*” He stated that he thought that meant the man was “a rebel.” He believed that **Tumbul** referred to the target as a rebel to motivate them because they had accepted the responsibility to protect the territory and its people. When the order was made by **Tumbul** to shoot, a shot came to the front passenger seat as the car kept moving and **Tumbul** shouted you better shoot and all of them shot at the vehicle.¹³¹

102. **Alieu Jeng** on the other hand stated that at that point, **Tumbul** removed the pistols from underneath his chair, gave it to them and ordered **Manjang** and **Malick** to shoot and asked him to stand down.¹³² **Malick Jatta** confirmed that he, **Alieu Jeng** and **Sanna Manjang** shot at the vehicle and **Tumbul** gave the order to shoot the target.¹³³

¹²² Testimony of Malick Jatta 22 July 2019 line 755-756 page 34 44.

¹²³ Testimony of Malick Jatta 22July 2019 772-777 page 35 / Testimony of Alieu Jeng 1509

¹²⁴ 789-793 page 36 / 1404-1417 Testimony of Alieu Jeng

¹²⁵ Testimony of Malick Jatta 22July 2019line 798-799 page 36 / Testimony of Alieu Jeng 8th August 2019 line 1516-1521

¹²⁶ Testimony of Malick Jatta 22nd July line 816-819

¹²⁷ Testimony of Malick Jatta 22nd July 2019 line 828-832

¹²⁸ Testimony of Alieu Jeng 8th August 2019 line 527-531

¹²⁹ Testimony of Malick Jatta 22July 2019, line 839-863page 39

¹³⁰ Testimony of Malick Jatta 22nd July 2019 881-883

¹³¹ Testimony of Malick Jatta 22nd July 2019, line 900-933

¹³² Testimony of Alieu Jeng 8th August 2019 line 1533- 1550

¹³³ Testimony of Malick Jatta 22nd July 2019 line 943-955

103. **Alieu Jeng** who initially denied playing a role in the shooting was cross examined on this issue. He first stated that **Sanna Manjang** ordered him not to shoot because he might hit **Malick Jatta**.¹³⁴ He insisted that it was not safe for him to shoot as he could have hit **Malick Jatta**. At that point, Counsel demonstrated that there was no way he could have hit **Malick Jatta** from where he was sitting. He was also confronted with his statement in which he stated, “When we arrived at the garage, **Tumbul** asked someone to bring a taxi and he was asked to stay back. At Paragraph 4 of his TRRC statement, he stated this man was gone for two (2) to three (3) hours and then he returned and all of us boarded the vehicle and left.” When he realised that he had made two conflicting statements, he admitted that he lied in his statement because he thought that **Malick Jatta** would not reveal the truth. He then admitted that he was given a pistol, however he maintained that he did not shoot.¹³⁵

104. When confronted with the video testimony of **Malick Jatta** on the issue, he reacted by stating that he thought **Malick Jatta** would lie to the Commission. He again admitted that he lied to the Commission, stating that he was hoping¹³⁶ **Malick Jatta** would not tell the truth.¹³⁷ After apologising to the Commission for lying under oath, he finally admitted that he did shoot at **Deyda Hydara**’s vehicle.¹³⁸

105. After the execution of **Deyda Hydara**, they drove to the same garage, boarded **Tumbul**’s vehicle and drove back to Kanilai.¹³⁹ **Malick Jatta** testified that the following day, **Tumbul** gave him an envelope containing some dollars, saying “this is a token of appreciation from the Big Man.”. He stated that he is certain that the money came from the former **President Yahya Jammeh** because **Tumbul** did not have the means to provide them with such an amount and in dollars. *In his own words he said, “When I change it I cannot remember is a long time but I believe I have scored more than D50, 000 (Fifty Thousand Dalasi).”*

106. **Malick Jatta** confirmed that every one of them received an envelope, however he did not know how much the others received because they were ordered not to discuss the issue, even among themselves.¹⁴⁰ Contrary to **Malick Jatta**’s confession on the subject, **Alieu Jeng** stated that he did not receive any money after the operation.¹⁴¹ The testimony of **Alieu Jeng** in this regard cannot be believed. **Malick Jatta** further testified that **Yahya Jammeh** must have ordered the killing.¹⁴²

107. In an attempt to cover up the murder, the government released a statement condemning the killing, as reported in the *Daily Observer* newspaper of 24th December 2004. The headline read, “Government Condemns Shooting as a Cowardly Act” and it goes on to say “The Government of The Gambia is saddened by and concerned about the shooting to death of Mr. **Deyda Hydara**, Proprietor of The Point newspaper. The Government vehemently condemns this cowardly act and pledges to do its utmost best to apprehend the culprits and bring them to book. The Security Agencies are already conducting investigations and the

public is urged to provide any information they may have on the incident to see that justice is done.” **Malick Jatta**’s reaction to this was that the statement was a complete cover-up.¹⁴³

108. The perpetrators of the unlawful killing of **Deyda Hydara** are **Yahya Jammeh**, **Tumbul Tamba**, **Alieu Jeng**, **Sanna Manjang**, **Malick Jatta**, **Malafi Corr**, **Kawsu Camara (Bombardier)** and **Bai Lowe**.

M. UNLAWFUL KILLING OF DABA MARENNAH AND SIX (6) OTHERS

- A. **ALPHA BAH, EBOU LOWE, ALIEU CEESAY, MANLAFI CORR,**
- B. **MASI JAMMEH WHO WAS A SISTER OF THE FORMER PRESIDENT, AND A LADY CALLED JULIA.**

109. **Daba Marenah Manlafi Corr**, **Ebou Lowe** and **Alieu Ceesay** were arrested on the orders of **Yahya Jammeh** in connection with the **Ndure Cham** coup attempt in March 2006. **Masireh Jammeh** “**Masi**” was arrested due to her protests over the **Yahya Jammeh** ordered arrest and suspected murder of their brother **Haruna Jammeh**. She had always complained to **Jammeh** and anyone who cared to listen about the disappearance of **Haruna Jammeh**. **Yahya Jammeh** ordered her arrest.¹⁴⁴

110. According to **Ebrima Jim Drammeh**, **Daba Marenah** received information about the **Ndure Cham** coup plan. This was while President **Jammeh** was on a visit to Muritania together with **Tumbul Tamba** and **Daba Marenah** among others. **Daba** decided to pass on the information to **Tumbul Tamba** for prior verification before informing **Jammeh**.¹⁴⁵ At this time, **Daba** was the Director General of the NIA. **Tumbul** who at the time was out of favor with **Jammeh** rushed to inform **Jammeh** about the impending coup.¹⁴⁶ **Jammeh** was furious. Upon arrival in Banjal that day, **Jammeh** ordered the arrest of **Daba Marenah** and anyone connected to that coup. Many military officers were arrested.¹⁴⁷

111. **Ismaila Jammeh** testified that in 2006 things were quite tense because of the **Ndure Cham** foiled coup. During that period, they were reporting to the State House on a daily basis. One day **Tumbul Tamba** briefed members of the patrol team that they were going on another patrol mission. He stated that at that point, he was very happy about the situation because they were not briefed on the mission as in other instances. He claimed that he was not on good terms with **Tumbul** because there was in-fighting by **Tumbul** due to his close relationship with the **President**. When asked if the **President** was involved in the operation, he responded in the negative and insisted that the **President** was not part of their operation.¹⁴⁸ Between midnight and 1: 00 A.M, they boarded their vehicles and drove to the Mile II State Central Prisons.¹⁴⁹

134 Testimony of Alieu Jeng 8th August 2019 line 1547- 1569

135 Testimony of Alieu Jeng 8th August line 1588-1676

136 Testimony of Alieu Jeng 8th August line 1686-1780

137 Testimony of Alieu Jeng 8th August line 1944-1958

138 Testimony of Alieu Jeng 8th August line 2085-2127

139 Testimony of Malick Jatta 22July 2019line 928-955page 42-43 / Testimony of Alieu Jeng 8th August line 2027-2029

140 Testimony of Malick Jatta 22 July 2019 line 976-1004 page 44-45

141 Testimony of Alieu Jeng 8th August 2019 line 2210-2216

142 Testimony of Malick Jatta 23rd July 2019 line 74-76

143 Testimony of Malick Jatta 23rd July 2019 line 77-86 page 5

144 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.

145 Testimony of Ebrima Jim Drammeh 27th January 789-807

146 Testimony of Saikou Jallow 27th March line 1292- 1311

147 Testimony of Harry Sambou 26th January 1430 - 1443

148 Testimony of Ismailia Jammeh 5th August 2019 line 3617 -3636

149 Testimony of Ismailia Jammeh 5th August 2019 line 3730

112. According to **Alieu Jeng**, they converged at the NIA where **Tumbul** informed them that they were going to Mile II. He also confirmed that they were not told what was happening. They departed from the NIA in a convoy and headed straight to Mile II Prison. When they arrived, he remained in the vehicle because he was the “gunner” (i.e., 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 face was turned towards the main road as he was manning the gunner.¹⁵⁰
113. On this particular operation, **Tumbul Tamba** was the Commander and his team members included **Ismaila Jammeh**, **Sanna Manjang**, **Michael Jatta**, **Alieu Jeng**, **Nfansu Nyabally** and **Malick Jatta**. When they arrived at the Prison, **Tumbul** and some of the soldiers entered while the others remained outside.¹⁵¹
114. **Ismalia Jammeh** stated “*As we were waiting, the electricity suddenly went off. Now 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 you know they put something on their face, nylon bags but I cannot remember who and who*”. He said the individuals were boarded in his vehicle with **Michael Jatta** and he did not have any interaction with them.¹⁵²
115. **Alieu Jeng** recalled that the prisoners were transported into four or five vehicles¹⁵³ with plastic bags placed over their heads.¹⁵⁴ According to **Ismalia Jammeh**, the operation was quite abnormal as it was around midnight.¹⁵⁵ He also indicated that the prisoners’ hands were handcuffed in front.¹⁵⁶
116. **Alieu Jeng** stated that when he saw the prisoners’ heads covered in plastic bags, he became suspicious. He admitted that at that point, he knew that they were going to be executed.¹⁵⁷
117. **Ismalia Jammeh** on the other hand was very evasive when asked if he knew that the prisoners were going to be killed. At one point, he stated that he felt sorry for them. At the same time, he said he was too junior to know what was going to happen. Later he said he thought they were going to be transferred to a different facility.¹⁵⁸ He stated that they were joined by **Solo Bojang** and his team along the way who led them through Foni.¹⁵⁹
118. **Malick Jatta** testified that the two commanders that were involved in these operations were **Tumbul Tamba** and **Solo Bojang**. The bodyguards were **Saikou Jallow**, **Sainey Jammeh**, **Yusupha Sanneh**, **Omar Jallow (Oya)**, **Bora Colley** and **Michael Correa** who escorted the prisoners. His team mates were **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang**, **Michael Jatta**, **Nfansu Nyabally**, **Mustapha Sanneh**, **Ismaila Jammeh** and **Alieu Jeng**.

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

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

152 Testimony of Ismailia Jammeh 5th August 2019 line 3707-3714

153 Testimony of Alieu Jeng 19th August line 538-542

154 Testimony of Alieu Jeng 19th August 2019 564- 571

155 Testimony of Ismailia Jmmeh 5th August 2020 3721- 3741

156 Testimony of Ismailia Jmmeh 5th August 2020 3783- 3789

157 Testimony of Alieu Jeng 19th August 2019 line 592-613

158 Testimony of Ismailia Jammeh 5th August 2019- 3871- 4019

159 Testimony of Ismailia Jammeh 5th August 2019 line 4023-

119. On the way, they met the escort group that brought the following prisoners: **Daba Marenah**, **Alpha Bah**, **Ebou Lowe**, **Alieu Ceesay**, **Manlafi Corr**, **Masi Jammeh** (the sister of the former President), and a lady called **Julia**.¹⁶⁰
120. **Malick Jatta** testified that **Solo Bojang** led them into the bush to the place where **Sanna Manjang** killed **Ndongo Mboob** in an earlier operation. The place was dark but he was able make out the location. They brought the victims down from the vehicles and that was when he knew that the prisoners were going to be executed. He stated that he was not in the mood to participate in the operation on that day 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 Nybally** and **Alieu Jeng** and folded his hands. They were present but did not participate. He describes the executions in the following way:
“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 the vehicle was praising God’s name saying “Alhamdulilah Rabil Alamin” and 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 gave 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 shrub. 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”.
121. He stated that the lady’s name was **Julia** and he picked up the name when they asked the lady her name. He affirmed **Sainey Jammeh** did kill **Julia** but he (**Sainey Jammeh**) denied it during the investigations. **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 Marenah**, **Alpha Bah**, **Ebou Lowe**, **Manlafi Corr**. After the shooting, he saw them dump the bodies in a well.¹⁶¹ **Malick** believed that **Yahya Jammeh** ordered the execution of the prisoners.¹⁶²
122. **Alieu Jeng** was quite evasive on this issue and as such, he was cross examined on the matter. He testified that when they arrived at the spot, he and **Nyabally** stayed in the vehicle because of the PKMS weapon in the vehicle while the others went with the prisoners into the bushes; but he could not recall who gave him the order to stay. He stated that he heard **Manlafi Corr** and **Masireh Jammeh** were there and he saw Alpha at Mile II Prison. The witness was then asked how he saw **Alpha Bah** when his head was covered with a plastic, he responded that it was **Alieu Ceesay** he saw at Mile II Prison when he was being put in the vehicle, even though he had indicated earlier in his testimony that he did not see the faces of the prisoners. He also admitted that that was not the only time he saw **Alieu Ceesay** on that day. He insisted that he was not present when the prisoners were executed. They were there for about one hour thirty (30) minutes, and others came back without the prisoners. When the others did not return with the prisoners, he knew that “*they had finished them*”. On their way back, he and **Nfansu Nyabally** discussed that the prisoners had been executed. The following day, he heard over the radio a government statement that the vehicle of the people they had taken into the forest and killed had summersaulted and he knew that was a lie.¹⁶³

160 Testimony of Malick Jatta 23rd July 2019 line 992 -1071 page 45-48

161 Testimony of Malick Jatta 23rd July 2019 line 10 74- 1174

162 Testimony of Malick Jatta 23rd July 2019 line 1199-1215 Page 54

163 Testimony of Alieu Jeng 19th august 2019 line 633-789

123. **Alieu Jeng** admitted that **Malick Jatta** was present; however he denied that he and **Nybally** were standing close to **Malick** when the prisoners were shot. He insisted that he remained in the vehicle and did not go into the bush. He stated that he had a personal relationship with **Manlafi Corr** who he regarded as an uncle, **Alieu Ceesay** was his first Platoon Commander at the State House, **Ebou Lowe** was his chief instructor at the training school and he knew **Masireh Jammeh** at Kanilai. When he was confronted with **Malick Jatta**'s evidence that he was standing with him at the execution ground, he denied it stating that **Malick** was lying. He confirmed the presence of **Ismaila Jammeh** and **Bora Colley**. He 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 single gunshot. He stated that one could hear a sound from an AK47 from 6 to 7 km. When it was suggested to him that he must have been 7km 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 ground, knowing that they will be executed.¹⁶⁴ He therefore admitted responsibility for the murders.
124. **Ismaila Jammeh** also denied participating in the executions. He testified that on their way, he heard that **Solo** was waiting for them. When they met up with **Solo Bojang**, he led them to a forest across the border. As soon as the convoy stopped, he devised a plan by pretending to urinate while they were escorting the prisoners in the forest which is referred to as "technical proficiency". He remained there for about twenty (20) minutes.¹⁶⁵ He said that he pretended to cooperate with them so that they would not think he was against what they were doing.¹⁶⁶ When he was confronted with **Malick Jatta**'s testimony that he was present at the execution scene, he denied it stating that **Malick** was lying.¹⁶⁷ He stated the others came back without the prisoners and boarded the vehicle, and that he did not hear any gunshots.¹⁶⁸ Under cross examination, he admitted that no Jungler was issued a silencer.¹⁶⁹ Although **Ismaila Jammeh** claimed that he did not participate in the physical killing, he participated in escorting the victims to where they were unlawfully executed. In spite of his denials, this act makes him complicit in murder.
125. **Omar Jallow (Oya's)** evidence on the killing of **Daba Marenah** and the others is missing from the transcripts. This is due to some technical failure that occurred briefly while he was giving his testimony. However, **Omar Jallow (Oya)** made an additional statement under oath stating that he did not participate in this operation and that **Malick Jatta** made a mistake mentioning his name. He stated that during the course of the police investigation, **Malick** made the same statement that he participated in the execution and when he confronted him on that issue **Malick** admitted that he made a mistake and assured him that he will rectify it. To his surprise, **Malick** made that same assertion again, which according to him is false.
126. In view of the truthfulness shown by **Omar Jallow (Oya)** throughout his testimony and in his interaction with the Commission, the Commission is inclined to believe **Oya** when he stated that he was not present on this occasion and that **Malick Jatta** was mistaken.

¹⁶⁴ Testimony of Alieu Jeng 19th August 2019 line 761- 1124

¹⁶⁵ Testimony of Ismailia Jammeh 5th August 2019 line 4023-4035

¹⁶⁶ Testimony of Ismailia Jammeh 5th August 2019 line 4046-4052

¹⁶⁷ Testimony of Ismailia Jammeh 5th August 2019 line 4135-4143

¹⁶⁸ Testimony of Ismailia Jammeh 5th August 2019 line 4298- 4316

¹⁶⁹ Testimony of Ismailia Jammeh 5th August 2019 line 4423-4434

127. **Saikou Jallow** also claimed that **Malick Jatta** was mistaken when **Malick** named him as being one of those who escorted the victims in the killings of Daba Marenah and the six others. **Saikou** claimed that he was not present when the killings occurred and that he was with **Yahya Jammeh** at State House when **Tumbul Tamba** arrived informing **Jammeh** that the mission was accomplished.¹⁷⁰ Considering that at the time of these killings **Saikou** was one of the closest aides to **Yahya Jammeh**, the Commission is inclined to believe that he was not sent to participate in these killings and that his inclusion in the list was a mistake.
128. The Commission notes that the identity of the second female killed on this occasion called **Julia** is not clear. No last name was provided. The evidence suggests that she was a Liberian or Sierra Leonean national. This killing occurred in March 2006. The Commission notes that there was a **Julia Maku** who was apprehended in July 2005 as part of the West African Migrants. In the absence of anything else to the contrary, the Commission believes that they are one and the same person.
129. The perpetrators of the unlawful killings of **Daba Marenah**, **Manlafi Corr**, **Alieu Ceesay**, **Alpha Bah**, **Ebou Lowe**, **Masi Jammeh** and **Julia** are **Yahya Jammeh**, **Tumbul Tamba**, **Solo Bojang**, **Malick Jatta**, **Sainey Jammeh**, **Yusupha Sanneh**, **Bora Colley**, **Michael Correa Nfansu Nyabally**, **Mustapha Sanneh**, **Ismaila Jammeh** and **Alieu Jeng**.
130. After the unlawful killing of **Daba Marenah** and the six others, the government issued a press release indicating that **Daba Marenah** and his military colleagues **Manlafi Corr**, **Alieu Ceesay**, **Alpha Bah**, **Ebou Lowe** (five (5) persons in total) were being transported to Jangjanbureh Prison when their vehicle summersaulted and the detainees escaped.
131. **Harry Sambou** told the Commission that he was called to the office of the then Inspector General of Police **Ousman Sonko** to attend a meeting with then Chief of Defence Staff **Lang Tombong Tamba** and **Tumbul Tamba** when they were informed by **Tumbul Tamba** that the prisoners escaped while they were being transported to Janjanbureh. According to **Harry Sambou** they decided to prepare a press release to inform the public and together they went to State House to inform the President, **Yahya Jammeh**.¹⁷¹
132. **Lang Tombong** denied the account of **Harry Sambou**. While **Lang Tombong** accepted that he too was called to the office of **Ousman Sonko** and informed about the accident and escape of the prisoners, he denied going to State House with the group as **Harry Sambou** stated.
133. **Saikou Jallow** told the Commission that he was with **Yahya Jammeh** at the time the issue of the press release was being discussed by **Jammeh**, **Ousman Sonko**, **Tumbul Tamba** and **Harry Sambou**. **Saikou Jallow** claimed that **Lang Tombong Tamba** was not present at all. He also claimed that the information given by the government to the public was false. He based his conclusion on the fact that while there, he received a call intended for **Yahya Jammeh** from **Tumbul Tamba** who told him to inform **Yahya Jammeh** that "mission accomplished". He indicated that **Tumbul** later arrived at State House carrying with him a video recording

¹⁷⁰ Testimony of Saikou Jallow 27th May 2021, line 1450-1460

¹⁷¹ Testimony of Harry Sambou 26th January 2021, line 1698-1988

device and a cassette. **Tumbul Tamba** went into a room with **Yahya Jammeh** where they presumably reviewed the tape. **Yahya Jammeh** thanked him and gave **Tumbul** a big bag of money. After that **Yahya Jammeh**, **Harry Sambou**, **Ousman Sonko** and **Tumbul Tamba** discussed the press release to misinform the public about what happened to **Daba Marenah** and the other four military officers.¹⁷²

134. **Saikou Jallow** testified that some years later, **Yahya Jammeh** would tell him that he regretted what happened regarding **Daba Marenah**. He lamented the fact that he now knew that **Daba Marenah** was not part of the **Ndure Cham** coup and that he was misled by **Tumbul Tamba**.¹⁷³

135. From the above, it is clear that **Daba Marenah** and his four colleagues (**Manlafi Corr**, **Alieu Ceesay**, **Alpha Ba** and **Ebou Lowe**) were apprehended in connection with the **Ndure Cham** coup and were executed by the Junglers pursuant to the orders of **Yahya Jammeh**. It is also clear that **Masi Jammeh** and the lady called **Julia** (presumably **Julia Maku**) were included in this group and murdered together.

136. The participants in these unlawful killings include: **Yahya Jammeh**, **Tumbul Tamba**, **Solo Bojang**, **Malick Jatta**, **Sainey Jammeh**, **Yusupha Sanneh**, **Bora Colley**, **Michael Correa Nfansu Nyabally**, **Mustapha Sanneh**, **Ismaila Jammeh** and **Alieu Jeng**. The participants in the concealment of the crime include **Yahya Jammeh**, **Ousman Sonko**, **Harry Sambou**, and **Tumbul Tamba**.

N. UNLAWFUL KILLING OF NDURE CHAM

137. **Ndure Cham** was the Chief of Defence Staff in March 2006. He planned to carry out a coup d'état against **Yahya Jammeh** when he travelled to Mauritania. The planned coup d'état was leaked and **Lang Tombong Tamba** set out to foil the coup. **Lang Tombong** caused several officers of the army to be arrested and taken to the NIA for questioning.¹⁷⁴ In the meantime, **Ndure Cham** fled the country with the help of **Tamsir Jasseh**. **Ndure Cham** was apprehended after years on the run and unlawfully killed by the Junglers.

138. **Ismaila Jammeh** testified that the Junglers received information that **Ndure Cham** spent the night at Farato. This led to the arrests of two civilians, an unidentified boy and one person with the last name Lowe in Fajikunda who allegedly gave **Ndure Cham** Five Thousand Dalasi (D5000). **Ismaila Jammeh** denied that the two were tortured,¹⁷⁵ but admitted that they were subsequently detained and interrogated at the NIA. They later obtained information from one of the detainees that **Tamsir Jasseh** drove **Ndure Cham** to Kujubeh in Casamance, Senegal.¹⁷⁶ **Tamsir Jasseh** was later arrested by **Ismaila Jammeh**, **Musa Jammeh** and two other President's bodyguards, **Buba Jammeh** and **David Njie** at his home and detained at the NIA.¹⁷⁷

172 Testimony of Saikou Jallow 27th May, 2021 line 1367-1378

173 Testimony of Saikou Jallow 27th May 1561- 1568

174 Testimony of Lang Tombong Tamba

175 Testimony of Ismailia Jammeh 5th August 2019 line 2250-2295

176 Testimony of Ismailia Jammeh 5th August 2019 line 2237-2240

177 Testimony of Ismailia Jammeh 5th August 2019 line 2305 -2384

139. After years on the run, the Junglers received information on the whereabouts of **Ndure Cham**. The Junglers converged at their base in Kololi for a mission to arrest **Ndure Cham**. The participants were **Lieutenant Colonel Nuha Badjie**, **Captain Modou Jarjue (Rambo)**, **Captain Mustapha Sanneh**, **Captain Michael Jatta**, **Warrant Officer Class 1 Nfansu Nyabally**, **Warrant Officer Class 02 Malick Manga**, **Staff Sergeant Sulayman Sambou**, **Sergeant Amadou Badjie**, **Corporal Saikouba Jarjue** and **Pa Ousman Sanneh**.¹⁷⁸

140. Witnesses testified that when the group met at their base for briefing, they were not briefed about the mission. They were asked to board their vehicles and head to Farafenni. During the journey, **Nuha Badjie** was communicating with **Musa Johnson**, a former orderly of **Ndure Cham**. **Musa Johnson** led them to **Ndure Cham**'s garden where he was arrested and taken to the NIA complex (Training School) in Tanji.¹⁷⁹ According to **Pa Ousman Sanneh**, **General Saul Badjie** and the former NIA Director General **Yankuba Badjie** came to the Tanji premises the evening that **Ndure Cham** was arrested. **Lamin Badjie**, a PIU officer, **Omar Jallow (Oya)**, **Malick Manga**, **Amadou Badjie (Chairman)**, **Lamin Sambou** and himself were on guard duties at the premises in Tanji. He stated that he noticed that **Ndure Cham**'s face was swollen and the latter told him that **Sulayman Sambou** usually beat him.¹⁸⁰

141. According to **Omar Jallow (Oya)**, after about two weeks of detention, **General Saul Badjie** returned there with the former NIA boss, **Yankuba Badjie**, **Lieutenant Colonel Nuha Badjie**, **Captain Momodou Jarjue**, aka **Rambo**, **Lieutenant Mustapha Sanneh**, **Lieutenant Micheal Sambou**, **WO2 Fansu Nyabally**, **Malick Manga**, **Sulayman Sambou** and **Saikouba Jarjue**, and **Omar Jallow (Oya)** and they picked up **Ndure Cham** from the NIA base in Tanji. The men were briefed by **Lt. Col. Nuha Badjie** and he gave explicit instructions that **President Jammeh** gave an order for **Ndure Cham** to be killed.¹⁸¹

142. **Ndure Cham** was put in a vehicle with **Omar Jallow (Oya)** and **Malick Manga** sitting on each side next to the door, with **Ndure Cham** sandwiched in between them. **Captain Jarjue**, "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, **Captain Jarjue (Rambo)** brought out four (4) plastic bags and gave them to **Malick Manga**, saying, "finish him." At that point, **Ndure Cham**'s hands were handcuffed behind his back. **Malick Manga** placed the plastic bags over **Ndure Cham**'s head and **Omar Jallow (Oya)** and **Momodou Jarjue** assisted in suffocating him to death.¹⁸² After murdering him extra judicially and in such inhumane and cruel manner, they took the body to Foni at Tintinba Forest (now a firing range for the Gambia National Army) and buried him in the bush, a place where Iranians trained some Gambian soldiers.¹⁸³

143. The following individuals are responsible for the murder of **Ndure Cham**: **Yahya Jammeh**, **Lt. Col. Nuha Badjie**, **Captain Momodou Jarjue aka Rambo**, **Omar Jallow (Oya)**, **Malick Manga**, **Saikouba Jarjue** and **Sulayman Sambou**.

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

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

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

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

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

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

O. THE UNLAWFUL KILLING OF CEESEY BUJILING

144. **Saikou Jallow** told the Commission that **Yahya Jammeh** confessed to him that he ordered the killing of **Ceesay Bujiling** because **Ceesay** was ascending to the position of Head of the Witches and Wizards in Foni. To get to this position, **Ceesay** needed to eat a person of very high standing in the society. **Yahya Jammeh** was informed that **Ceesay** targeted him. **Jammeh** told **Saikou Jallow** that because of this, he had to kill **Ceesay Bujiling**. He ordered the Junglers to execute **Ceesay Bujiling**.¹⁸⁴ **Ebou Jarjue**, a former Steward of **Yahya Jammeh** confirmed that **Ceesay Bujiling** was killed on suspicion of practicing witchcraft.¹⁸⁵

P. UNLAWFUL KILLINGS OF MAMUT CEEESAY AND EBOU JOBE

145. **Mamut Ceesay** and **Ebou Jobe** were young Gambian-Americans who came to The Gambia to do business. Due to their movements, they were suspected of planning to overthrow **Yahya Jammeh**. **Jammeh** ordered the **Junglers** to kill them.

146. Sometime in 2013¹⁸⁶, members of the patrol team converged at their Kololi base for a mission. The following men were present: **Major Nuha Badjie**, **Captain Momodou Jarjue alias Rambo**, **Lieutenant Mustapha Sanneh**, **Lieutenant Michael Jatta**, **WO2 Fansu Nyabally**, **WO2 Pa Sanneh**, **Staff Sergeant Amadou Badjie**, **Staff Sergeant Sulayman Sambou**, **Michael Correa** and **Corporal Saikouba Jarjue**¹⁸⁷.

147. **Nuha Badjie** briefed them that there were some Americans from Guinea Bissau who had come to topple **Yaya Jammeh's** government along with some members of the army¹⁸⁸.

148. According to **Omar Jallow (Oya)**, **Nuha Badjie** briefed them saying, “*there is an assignment which we have to do that there are two (2) Gambian Americans who came here with the intention of toppling the government of Yahya Jammeh; that at that moment they are in a hotel but that Michael Correa was there also monitoring their going ins and outs. That if they were going out, we will be called so we could go and arrest them*”.¹⁸⁹

149. After the briefing, **Nuha Badjie** was communicating with **Alagie Marr**, an ex-soldier. Thereafter **Michael Correa** told him he was to go with him to a Chinese restaurant.¹⁹⁰ While the others set up a checkpoint 100m away from Petroleum House, **Pa Ousman Sanneh** and **Michael Correa** trailed **Alagie Marr**, and the men 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.¹⁹¹

184 Testimony of Saikou Jallow 27th May lines 1391-1410

185 Testimony of Ebou Jarju 27th February 2020 Line 964-994

186 Testimony of Pa Ousman Sanneh 7th August 2019 line 634

187 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

188 Testimony of Omar Oya Jallow 24th of July 2019 line 307-312/ Testimony of Pa Ousman Sanneh 7th August 2019 663-665

189 Testimony of Omar Oya Jallow 24th of July 2019 line 307-311

190 Testimony of Pa Ousman Sanneh 7th August 2019

191 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

150. According to **Pa Ousman Sanneh**, they took the men straight to Kanilai.¹⁹² However, **Omar Jallow (Oya)** and **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**, and they went back to their base in Kololi at around 3 – 4am.

151. Afterwards, the NIA director **Yankuba Badjie** and **Saul Badjie** came to interrogate the two men. **General Badjie** also joined them later.¹⁹³ **Amadou Badjie** believes that the men were beaten during interrogation because according to him, that was the norm.¹⁹⁴

152. 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.¹⁹⁵

153. At Around 5pm, **General Badjie** informed **Nuha Badjie** over the phone that the President wanted to see the two Gambian-Americans in Kanilai.¹⁹⁶ At around 6pm, they left for Kanilai with the two men.

154. Upon arrival at 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** came and informed them that, “*Yahya Jammeh has given the order that the men were to be killed and chopped into pieces.*”¹⁹⁷ **Pa Ousman Sanneh** on the other hand testified that this instruction was given while they were digging the grave.¹⁹⁸

155. They put the men in their vehicles 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 Jarjue alias Rambo**, **Lieutenant Mustapha Sanneh**, **Lieutenant Michael Jatta**, **WO2 Fansu Nyabally**, **WO2 Pa Sanneh**, **Staff Sergeant Malick Manga**, **Sergeant Amadou Badjie**, **Micheal Correa**, **Sergeant Sulayman Sambou**, **Corporal Saikouba Jarjue** and **Staff Sergeant Omar Jallow (Oya)**.¹⁹⁹

156. 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 (Oya)**, **Fansu Nyabally**, **Pa Sanneh** and **Saikouba Jarjue** 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 them down. Their bodies were buried in that single grave at President **Jammeh's** garden.²⁰⁰

192 Testimony of Pa Ousman Sanneh 7th August 2019 line 714-729

193 Testimony of Amadou Badjie 25th July 2019 line 1076-1120

194 Testimony of Amadou Badjie 25th July 2019 line 1130-1157

195 Testimony of Omar Oya Jallow 24th of July 2019 line 348-334 / Testimony of Amadou Badjie 25th July 2019 line

196 Testimony of Omar Oya Jallow 24th of July 2019 line 348-367

197 Testimony of Amadou Badjie 25th July 2019 line 1169-1204/ Testimony of Omar Oya Jallow 24th of July 2019 line 396-333

198 Testimony of Pa Ousman Sanneh 7th August 2019 line 739-741

199 Testimony of Omar Oya Jallow 24th of July 2019 line 406-410 / Testimony of Pa Ousman Sanneh 7th August 2019 line 744-750

200 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

157. The perpetrators of the unlawful killing of **Mamut Ceesay** and **Ebou Jobe** are **Yahya Jammeh**, Major **Nuha Badjie**, Captain **Momodou Jarjue alias Rambo**, Lieutenant **Mustapha Sanneh**, Lieutenant **Michael Jatta**, Micheal Correa, WO2 **Fansu Nyabally**, WO2 **Pa Sanneh**, Staff Sergeant **Malick Manga**, Sergeant **Amadou Badjie**, Sergeant **Sulayman Sambou**, Corporal **Saikouba Jarjue** and Staff Sergeant **Omar Jallow (Oya)**

Q. UNLAWFUL KILLING OF BABA JOBE

158. **Baba Jobe** was a business and close associate of **Yahya Jammeh**. **Baba Jobe** also had strong and close ties with the then government of Libya under **Momar Ghadafi**. As the **Jammeh** government needed the support of Libya, **Baba Jobe** being the main intermediary to the Libyan leader became very important to **Jammeh**. Their friendship grew and they got involved in several business ventures together. **Baba Jobe** also became a member of the APRC leadership and head of the July 22nd Movement. He became the second most powerful person in the country. However, he later fell out with **Jammeh** and was prosecuted and convicted for economic crimes. After completing serving his sentence and before his release, he died in hospital. He was murdered by the Junglers on the orders of **Yahya Jammeh**.

159. **Omar Jallow (Oya)** told the Commission that on October 28, 2011, he had a meeting with **Nuha Badjie** at Hamza Barracks who instructed him to go to Edward Francis Small Teaching Hospital (EFSTH) in Banjul and find out the exact room **Baba Jobe** was admitted as an in-patient. **Nuha Badjie** gave him a hint that **Baba Jobe** would be at the private ward under the supervision of a prison officer.²⁰¹ After conducting his investigation, **Omar Jallow (Oya)** reported to **Nuha** that he had identified **Baba Jobe's** ward. **Nuha** then told him that **Yaya Jammeh** said, **Baba Jobe** must be killed that night and that they should not allow him to return to Mile II Prison. **Nuha Badjie** further told him that the “boys”, meaning the Junglers, would meet him at Hamza Barracks and he would lead them to the place.²⁰²

160. That night, they entered the hospital from different directions. **Omar Jallow (Oya)** and **Pa Ousman Sanneh** went through the Accident and Emergency ward entrance. **Mustapha Sanneh**, **Michael Jatta**, **Fansu Nyabally**, **Malick Manga**, **Sulayman Sambou** and Captain **Momodou Jarjue (Rambo)**, scaled over the hospital fence at the Marina Parade end.

161. They converged under a tree close to the emergency door and **Oya** pointed out the room to them. When they reached the room, the prison officer, one **Jammeh** told them that **Baba Jobe** was sleeping and they entered the room without any resistance. They found **Baba Jobe** on his hospital bed and in cold blood, used his own blanket and pillow to suffocate him to death.²⁰³

162. **Pa Ousman Sanneh** testified that he received a call from the operation commander **Michael Jatta** to report to Banjul at Arch 22. When he arrived at the Arch, the rest of the group had already left. At that point, he did not know the nature of the mission. It was later that he was informed that they were going to kill **Baba Jobe** at a private ward in the EFSTH in Banjul.²⁰⁴

²⁰¹ Testimony of Omar Oya Jallow 24th of July 2019 line 736-744 /Testimony of Omar Oya Jallow 24th of July 2019 line

²⁰² Testimony of Omar Oya Jallow 24th of July 2019 line 763-764

²⁰³ Testimony of Omar Oya Jallow 24th of July 2019 line 770-792

²⁰⁴ Testimony of Pa Ousman Sanneh 6th August 2019 line 837-845

163. The others were briefed even before he arrived, and **Nuha** asked him to join **Omar Jallow (Oya)** at the entrance. They entered through the main gate of the hospital and were joined by others who entered via the back way. **Omar Jallow (Oya)** directed them to the private room upstairs, where a man lay in bed sleeping. They entered and he and **Oya** went back to inform **Nuha Badjie** that the men were in. Under cross examination, he was asked how he knew that he was to report to **Nuha**. He responded that **Nuha** had asked him to report to him when they got in, and that it was **Nuha** who told him that **Baba Jobe** was in that room.²⁰⁵

164. He insisted that he was not briefed and that it was **Oya** who told him that the others were taking another route into the hospital premises.²⁰⁶ When he was confronted with the testimony of **Omar Jallow (Oya)**, he insisted that he did not enter the room and there was no way all of them could fit in the room. He also insisted that it was **Nuha Badjie** who informed him that **Baba Jobe** was in that room.²⁰⁷

165. 1When he was challenged with his oral evidence when juxtaposed with his statement i.e. Exhibit 68 in which he stated “...*On this particular occasion we were told by Nuha and General Saul Badjie that the President ordered us to go and finish Baba Jobe. I came through the main gate of the Edward Francis Small Hospital with Omar Jallow (Oya). I was instructed by Nuha Badjie to keep watch immediately he and Omar Jallow (Oya) and the rest of the team got to the private block*”, he insisted that he did not know the nature of the mission until **Nuha Badjie** told him about it.²⁰⁸ Under cross examination, he stated that he did not know what the mission entailed but he participated in it.²⁰⁹

166. He again changed his story and stated that he met **Malick Manga** at the Denton Bridge then they picked up **Oya** on their way and that they met **Nuha Badjie** at the Arch.²¹⁰ When he was referred to his earlier testimony, he said he made a mistake; that he neither picked up **Oya** on the way nor did he meet **Nuha Badjie** at the Arch.²¹¹

167. He said **Malick Manga** told him to drop him off at the Accident and Emergency Ward entrance and he then went to park his vehicle. When he met **Nuha Badjie**, he was asked to join **Oya** at the main entrance. He maintained that he and **Malick Manga** did not know what the mission was. He insisted that when they got inside, he went back to report to **Nuha Badjie** who informed him that **Baba Jobe** was lying upstairs.

168. He testified that **Nuha Badjie** told him that this was an order from General **Sulayman Badjie** who was acting on the orders of **Yahya Jammeh** that **Baba Jobe** must be eliminated.²¹² He insisted that **Oya's** testimony was a lie and that he was being tested in that operation and he passed the test. He further testified that everyone knew what their role was, but he was not present during the briefing.²¹³

205 Testimony of Pa Ousman Sanneh 6th August 2019 line 852-868

206 Testimony of Pa Ousman Sanneh 6th August 2019 line 861-892

207 Testimony of Pa Ousman Sanneh 6th August 2019 line 930-964

208 Testimony of Pa Ousman Sanneh 6th August 2019 line 989-994

209 Testimony of Pa Ousman Sanneh 6th August 2019 line 1043-1056

210 Testimony of Pa Ousman Sanneh 6th August 2019 line 57-65

211 Testimony of Pa Ousman Sanneh 6th August 2019 line 107-114

212 Testimony of Pa Ousman Sanneh 6th August 2019 line 315-439

213 Testimony of Pa Ousman Sanneh 6th August 2019 line 498-532

169. It is clear from the above that **Pa Ousman Sanneh** was merely trying to extricate himself from responsibility by suggesting that he did not enter **Baba Jobe**'s hospital room. He also suggests that he made no contribution to the unlawful killing of **Baba Jobe**. His conflicting and contradictory statements are a clear indication that he was not being truthful about the matter. However, this statement he made to extricate himself from responsibility is not helpful as he knowingly participated in a common plan to exterminate **Baba Jobe**. He played a role in that enterprise by according to him "*keeping watch*" and "*reporting to Nuha Badjie*". The Commission holds that this is enough to hold that: **Pa Ousman Sanneh** participated in the unlawful killing of **Baba Jobe**.

170. The soldiers who participated in the unlawful killing of **Baba Jobe** include: **Omar Jallow (Oya)**, **Pa Sanneh**, **Mustapha Sanneh**, **Michael Jatta**, **Fansu Nyabally**, **Malick Manga**, **Sulayman Sambou**, **Captain Momodou Jarjue (Rambo)** and **Nuha Badjie**.

R. UNLAWFUL KILLING OF ELLO JALLOW

171. **Ello Jallow** was a member of the State Guard. He served as personal bodyguard to the First Lady **Madam Zeinab Jammeh**. He was suspected of having an affair with the First Lady. He was questioned about it by **General Saul Badjie**, the Head of the Junglers. **Ello Jallow** denied the allegations. However, the rumors about their affair intensified in 2011 when he was on a trip to the USA with the First Lady. Family members advised him not to return, but he insisted on coming back home. A few days after his arrival in The Gambia, he was invited by **Bora Colley** (a Jungler) for a meeting.²¹⁴ Not suspecting anything he went. The next day, he was found dead in his vehicle that had fallen off a bridge into the Atlantic Ocean at Bakau.

172. **Omar Jallow (Oya)** testified that at the time of the killing of **Ello Jallow**, he was not a member of the Patrol Team. However, he was told by someone that went to **Ello**'s funeral, that **Ello**'s vehicle was made to look like it was involved in an accident with the vehicle falling over the bridge around Bakau. From that narrative, he believed that **Ello** was killed somewhere else and placed in the vehicle which was pushed over the bridge to look like an accident.²¹⁵

173. The testimony of the witness as to the death of **Ello Jallow** is hearsay; as such, the witness could not provide sufficient details about the persons involved in that incident. However, the rumour at the time that **Yahya Jammeh** suspected that **Ello Jallow** was having an affair with his wife Zeinab for whom he served as a guard and travelled with extensively was quite rife. While the Commission does not have any significant evidence implicating **Jammeh** in this killing, the fact that this was a clear Jungler killing, the fact that the killing was not investigated by the authorities and the fact that in planning the killing of **Mustapha Colley**, **Yahya Jammeh** ordered that it had to be staged to look like the **Ello Jallow** killing suggests clearly that **Yahya Jammeh** sanctioned and is responsible together with **Bora Colley** for the killing of **Ello Jallow**.

214 Statement of Pateh Jallow, dated 25 July 2019, page 4

215 Testimony of Omar Oya Jallow 24th of July 2019 line 719-728

S. UNLAWFUL KILLING OF MUSTAPHA COLLEY

174. **Omar Jallow (Oya)** testified that **Mustapha Colley** was a soldier who was working at the State House, but was subsequently dismissed from the army. For this operation, **Malick Manga** informed them to gather at their base in Kololi. When they met, **Nuha Badjie** brought out a piece of paper showing the licence registration number of a taxi and a telephone number and he told them that it was the vehicle number of **Mustapha Colley**, also known by the name **Arthur Colley**²¹⁶.

175. **Nuha Badjie** told them that **Yahya Jammeh** ordered the apprehension and killing of **Mustapha Colley**.²¹⁷ After these instructions, they all set out to locate him. He went searching for a while and when he returned, he saw **Sulayman Sambou** coming in with a taxi. **Sambou** had taken an old TV and lured Mustapha Colley by pretending to need a taxi to transport it. When the taxi stopped, **Mustapha Colley** helped them to take the TV to **Sulayman Sambou**'s room. Once he entered the room, they all jumped on him and wrestled him to the ground. Some held his legs, others his throat and his nose and he was suffocated to death.²¹⁸

176. Thereafter, they put his body inside his taxi and took him to the Sukuta-Jabang Highway, at the traffic lights close to NAWEC. There, they casually parked the taxi and positioned the deceased on the seat and disappeared. The way the body was abandoned and the whole arrangement was executed in accordance with the way **Yahya Jammeh** wanted it to be carried out in terms of the disposal of the body. This was what **Nuha Badjie** told the group that murdered **Mustapha Colley**. **Nuha Badjie** told them that **Jammeh** instructed him to stage the scene and get rid of the body in a similar manner to the way **Ello Jallow**'s body was presented to give an impression of a car accident rather than murder.²¹⁹ The soldiers that participated in this operation were **Nuha Badjie**, **Mustapha Sanneh**, **Momodou Jarjue (Rambo)**, **Nfansu Nyabally**, **Mustapha Sanneh** and **Omar Jallow (Oya)**.²²⁰

177. The following persons are responsible for the murder of **Mustapha Colley**: **Yahya Jammeh**, **Nuha Badjie**, **Mustapha Sanneh**, **Momodou Jarjue (Rambo)**, **Nfansu Nyabally**, **Mustapha Sanneh** and **Omar Jallow (Oya)** and **Sulayman Sambou**.

T. UNLAWFUL KILLING OF SAUL NDOW AND MAHAWA CHAM

178. **Sulayman "Saul" Ndow and Mahawa Cham** were allegedly planning to overthrow the government of **Yahya Jammeh**. They made arrangements with former combatants from Liberia including **Lau Jarjue** and **Swandi Camara** to procure arms in Cassamance in preparation to attack the **Jammeh** government. They did not know that **Lau Jarjue** and **Swandi Camara** were working as informants for the **Jammeh** government and had provided

216 Testimony of Omar Oya Jallow 24th of July 2019 line 657-676

217 Testimony of Omar Oya Jallow 24th of July 2019 line 679-682

218 Testimony of Omar Oya Jallow 24th of July 2019 line 683-698

219 Testimony of Omar Oya Jallow 24th of July 2019 line 700-712

220 Testimony of Omar Oya Jallow 24th of July 2019 line 688-689

- information about their plan to the **Jammeh** government. The Junglers together with **Lau Jarjue** and **Swandi Camara** staged an operation for an ammunition deal in Cassamance. Not suspecting that the people they were dealing with were the Junglers, **Saul Ndow** and **Mahawa Cham** went to finalise this deal in Cassamance. They went together with **Lau Jarjue** and **Swandi Camara** to meet a Senegalese intermediary (believed to be a Senegalese Intelligence Officer) called **Cisse Ndiaye**. During the process, **Saul Ndow** and **Mahawa Cham** were arrested by the Junglers led by **Solo Bojang** and brought across the border into Foni, The Gambia.
179. **Omar Jallow (Oya)** testified that **Malick Manga** called him and told him to report to their base in Kololi. At the time, **Amadou Badjie**, **Pa Sanneh** and **Saikouba Jarjue** were attending a course. The individuals present were **Nuha Badjie**, **Momodou Jarjue (Rambo)**, **Lieutenant Mustapha Sanneh**, **Lieutenant Michael Correa**, **Lieutenant Michael Jatta**, **WO2 Nfansu Nyabally**, **Staff Sergeant Manga** and **Sulayman Sambou**.²²¹
180. **Nuha Badjie** briefed them that they were going to meet **Solo Bojang** at Kanilai for a mission. He told them that there were two (2) Gambians in possession of weapons looking to recruit individuals to topple **Yahya Jammeh**. The two men were lodged in a hotel in Ziguinchor and **Solo Bojang** had planned to meet them at a particular village.²²²
181. When they arrived in Kanilai from Kombo, he said he saw two civilians in **Solo Bojang's** car. They were **Lau Jarjue** and **Swandi Camara**. The witness later learnt that the two were used by Jammeh as spies in the army. He stated that he once had a meeting with them at Bonto village. For this operation, the Junglers were dressed in civilian clothing and their weapons were concealed in their bags.²²³
182. There were four vehicles in the convoy and **Solo Bojang** asked **Manga** and **Omar Jallow (Oya)** to stay behind in their vehicle. They waited for about four (4) hours, and at around 5pm - 6pm, **Solo Bojang's** vehicle reappeared and they all returned to Kanilai. When the vehicles stopped, he saw two dead bodies with plastic bags placed over their heads. He believed that they were suffocated with plastic bags. **Malick Manga** later told him that one of the victim's was **Jeck Cham's** husband,²²⁴ and the other was **Mahawa Cham**.
183. Later, **Solo Bojang** led **Nuha Badjie**, **Rambo**, **Fansu Nyabally**, **Lieutenant Mustapha Sanneh**, **Lieutenant Michael Jatta** and **Sulayman Sambou** to bury the bodies in the bush. He emphasised that the government knew about the killings because **Yahya Jammeh** always gave the orders, and that during the briefings prior to deployment to carry out this particular operation, **Solo Bojang** told them that "*the President said to use whatever means to apprehend them, bring them into The Gambia and kill them.*"²²⁵
184. The following day, **Malick Manga** told **Omar Jallow (Oya)** that he was asked to give the sum of CFA 125, 000, 000 (approximately US\$234,000) to the Senegalese intelligence officer that led them to the victims. When he was asked about his share of the blood money,

²²¹ Testimony of Omar Oya Jallow 24th of July 2019 line 810-820

²²² Testimony of Omar Oya Jallow 24th of July 2019 line 824-833

²²³ Testimony of Omar Oya Jallow 24th of July 2019 line 839-865

²²⁴ Testimony of Omar Oya Jallow 24th of July 2019 873-892 line

²²⁵ Testimony of Omar Oya Jallow 24th of July 2019 line 908-924

- Manga** responded "*Yahya Jammeh is just killing us, he is using us in vain. Not even one Butut did we get from that.*"²²⁶
185. He testified that during his time at the patrol team, the only extra money they received was Five Thousand Dalasi (D5, 000) for three (3) months and the extra Two Thousand Dalasi (D2000) or One Thousand Five Hundred (D1, 500) that **Jammeh** would give them as Tobaski (Eid El Adha) gifts.²²⁷
186. The following persons are responsible for the murder of **Sulayman Ndow** and **Ma Hawa Cham**: **Yahya Jammeh**, **Nuha Badjie**, **Momodou Jarjue (Rambo)**, **Lieutenant Mustapha Sanneh**, **Lieutenant Michael Correa**, **Lieutenant Michael Jatta**, **WO2**, **Nfansu Nyabally**, **Staff Sergeant Malick Manga**, **Omar Jallow (Oya)**, **Sulayman Sambou**, **Lau Jarjue** and **Swandi Camara**.
- U. KILLING OF MARIAMA CAMARA AND ALPHA JALLOW**
187. **Omar Jallow (Oya)** testified that he received information that **Mariama Camara** and her husband **Alpha Jallow** killed each other inside the Hamza Barracks. **Mariama Camara** was a soldier and a bodyguard to President Jammeh. He stated that he heard rumours that **Mariama Camara** and her husband got into a quarrel because of rumours/suspicions that she was impregnated by **Yahya Jammeh**. When the case was being investigated, he heard that it was **Captain Malick Boye** who killed **Mariama Camara** and her husband. **Malick Boye** was arrested and later released by the police.²²⁸ The testimony of **Omar Jallow (Oya)** on this issue is generally hearsay, however, the Commission has looked into the issue in greater detail in its investigation theme on Sexual and Gender Base Violence. (See volume 10 of the TRRC Report).
- V. UNLAWFUL EXECUTION OF MILE 2 INMATES**
188. Sometime in April, 2012, **Yahya Jammeh** wanted to execute the mandatory death sentences of some prisoners. This coincided with a visit by the Banjul Muslim elders to **Yahya Jammeh**. During a meeting with the Banjul Muslim elders which was aired on GRTS, **Yahya Jammeh** announced that he was going to execute prisoners on death row to serve as deterrence to criminals because the crime rate was increasing. According to **Lamin Jobarteh**, AG and Minister of Justice at the time, he was not present at the said meeting and he was also not consulted by the President before making that pronouncement. He confirmed that in that meeting, Yahya Jammeh swore that he would kill the inmates by saying "*belie walie talie sumako deffut dina naan sangara ma leka mbam*" (Wolof for "I swear to God, if I don't do it, I will drink alcohol and eat pork). Thereafter, **Jammeh** asked him to get the warrants prepared by the Chief Justice and to be signed by the Minister of Interior. He said he told **Jammeh** that the order for executions had to be given by the **President**. The **President** then assigned the **Chief Justice** to carry out the legal requirements. He was asked if he advised the President that it was unlawful for the **Chief Justice** to carry out the legal responsibilities

²²⁶ Testimony of Omar Oya Jallow 24th of July 2019 line 926-956

²²⁷ Testimony of Omar Oya Jallow 24th of July 2019 line 994-995

²²⁸ Testimony of Omar Oya Jallow 24th July 2019 line 1268-1319

- for execution, he responded in the negative and admitted that he did not advise **Jammeh** on the unlawfulness of the process. He stated that what **Jammeh** wanted to do, no one could stop and that he assigned responsibilities to whomever he pleases and he could not dare to advise him otherwise. He denied playing any role in the executions.²²⁹
189. The witness was shown nine execution warrants, which he confirmed to be the standard form. He read out one (i.e., Execution Warrant of **Lamin L.F. Jammeh** which indicated that the individual was to be executed on the April 24, 2012 and it was endorsed by President Jammeh on the *23rd day of August, 2012*. The content also suggests that the warrant emanated from the Ministry of Justice. However, he denied that the warrant originated from his office at that time, claiming that they are false and that he admitted that the exercise was unlawful. When asked if he made that fact known to the public, he answered "*I cannot act on something that I do not know anything about.*" On the lawful procedure for executions, **Jobarteh** stated that the power to recommend for execution is vested in the Minister of Justice but he insisted that the correct procedure was not followed because the evidence would have been found in the case files if that was the case. Counsel then told him that the case files had conveniently disappeared.
190. The witness insisted that he was not aware of that, that he did not give advice to the President that he as the Minister is not authorised to sign the warrants. He emphasised that **Yaya Jammeh** was a "*congenital liar; a pathological liar*". He stated that that at that time, **Jammeh** had absolute powers and no one could question him. **Pa Harry Jammeh** was the Solicitor General at the time and he did not know if **Pa Harry Jammeh** knew anything about the issue. He admitted that the Judges' report was not sent to the **President** and that was a condition precedent. He also admitted that as Minister of Justice, he ought to have sent recommendations advising the **President** about the proper procedure for executions. He denied that he was at the execution ground.²³⁰
191. **Omar Jallow (Oya)** testified that the executions occurred in 2012 and were carried out by Major **Nuha Badjie**, Captain **Momodou Jarjue "Rambo"**, Lieutenant **Mustapha Sanneh**, Lieutenant **Michael Jatta**, WO2 **Nfansu Nyabally**, WO2 **Pa Sanneh**, Staff Sergeant **Malick Manga**, Staff Sergeant **Omar Jallow (Oya)**, Staff Sergeant **Amadou Badjie**, Staff Sergeant **Saul Sambou**, Corporal **Saikouba Jarjue**, WO2 **Modou Bousso**, Staff Sergeant **Lamin Sambou**, Staff Sergeant **Buba Badjie**, **Lamin Sambou**, and **Lamin Badjie**.²³¹ They travelled from Kanilai to Kombos and on their way, they stopped at Jah Oil in Brikama where **Solo Bojang** joined the convoy.
192. They made another stop at the Hamza Barracks to pick up **Omar Jallow (Oya)**. According to **Lamin Sambou**, while they were waiting for **Omar Jallow (Oya)**, he overheard **Rambo** communicating with **General Saul Badjie**, and the latter telling **Rambo** that the "Big Man" (**President Yahya Jammeh**) instructed that the executions must be carried out on that day while **General Badjie** wanted to cancel it.²³²
193. After **Omar Jallow (Oya)** was picked up, the Junglers were briefed that there was an executive order from **President Jammeh** to kill some people who were convicted and were

²²⁹ Testimony of Lamin Jobarteh 11th February 2021 line 763-840
²³⁰ Testimony of Lamin Jobarteh 11th February 2019 line 1018 1173
²³¹ Testimony of Omar Oya Jallow 24th of July 2019 line 66-82
²³² Testimony of Lamin Smbou 7th August 2019 line 463-472

- in Mile II Prison. However, at that time, they were not shown any documents in support of the order by the President.²³³
194. They were given face masks to wear to conceal their identities when they arrived at Mile 2 prisons.²³⁴ Upon entry, they were received by the Director General of Prisons, **David Colley**, **General Sulayman Badjie**, the Interior Minister **Ousman Sonko and Lamin Jobarteh (Babadinding)**, the AG and Minister of Justice and they had a discussion with the Commanders of the Junglers.²³⁵ According to **Omar Jallow (Oya)**, he was certain that the AG and Minister of Justice was present because after the execution, **Captain Rambo** said to him "*let me go and bring in the Justice Minister and he held him by the hand and took him around the dead bodies.*"²³⁶ **Lamin Sambou** also testified that he saw the Minister of Justice at Mile II prisons and that after the incident, he saw him again at the court house on several occasions when he went for escort duties. He also said there was another man who he described as a Ghanaian but he could not identify him.²³⁷ The identity of this person could not be independently verified.
195. When **Mr. Jobarteh** was asked where he was on August 24, 2012, the actual date of the execution, he answered that he could not remember. It was then put to him that that was a significant event in the history of The Gambia and he could not have just forgotten where he was on that date. He stated that he must have been in one of his houses on that day. He stated that he did not know if government announced the date and place of the execution and he could not say if it was done in secret. He denied the evidence of **Omar Jallow (Oya)**, **Lamin Badjie** and **Amadou Badjie** all of whom suggested that he was present at the scene of the executions.
196. It was also revealed to the Commission through its investigative activities that **Yahya Jammeh** had planned the executions since early August 2012 and had consultative meetings at the State House to that effect with **Ousman Sonko, Minister of Interior; Njogu L. Bah, Secretary General and Head of the Civil Service; Lamin Jobarteh then Minister of Justice and the Inspector General of Police Yankuba Sonko in respect of the planned executions**. *It was further reported that after another meeting at the State House, they all, except Jammeh, drove to Mile II prisons as part of the execution activities.*²³⁸ **Mr. Jobarteh** also denied this stating that the source was lying. The investigations further revealed that the prisoners were handed over to **General Saul Badjie** and after the executions, **Solo Bojang** rubbed cow-tail on the bodies in a ritual style before they were dumped into an old well. The witness denied this as well.
197. According to some witnesses, the leaders had several papers with them, and they were assisted by the prison officers to bring some of the prisoners out. About nine prisoners were brought out with their hands and feet shackled and put in vehicles.²³⁹

²³³ Testimony of Omar Oya Jallow 24th of July 2019 line 92-100
²³⁴ Testimony of Omar Oya Jallow 24th of July 2019 line 145- 152 / testimony of Lamin Sambou 7th August 2019 line 510-511
²³⁵ Testimony of Lamin Sambou 7th August 2019 line 530-551 / Testimony of Lamin Badjie 25th August 2019 line 964-977
²³⁶ Testimony of Omar Oya Jallow 24th July 2019 166-173
²³⁷ Testimony of Omar Oya Jallow 24th of July 2019 line 129-136
²³⁸ Testimony of Lamin Badjie 25th August 2019 line 129-136
²³⁹ How Jammeh Executes Mile 2 Inmates, - Trumpet Newspaper article of April2019, Available at: <https://trumpet.gm/2019/04/10/how-jammeh-executes-mile-2-inmates/>
²³⁹ Testimony of Lamin Badjie 25th August 2019 line 984- 1004 / testimony of Lamin Sambou 7th August 2019 line 542- 553

198. **Lamin Badjie** stated that the prisoners were put in **Solo Bojang's** and **Momodou Rambo Jarjue's** vehicles. The vehicles driven by **Sulayman Sambou** and **Michael Jatta** did not carry any prisoners. He was asked to use **Tumbul Tamba's** vehicle to go pick up **Alieu Jeng** from Hamza Barracks.²⁴⁰
199. The Junglers sandwiched the prisoners to ensure that they could not escape, and they drove towards Brikama. When they reached the Airport junction, they were given plastic bags and ordered to suffocate and strangle the prisoners before they reached the firing range.
200. **Amadou Badjie** explained the incident in the following terms: “*When we reached there, we stopped because I was on board Modou Jarjue’s vehicle called Rambo, by that time there was one prisoner sitting between me and OmarJallow (Oya), we sandwiched him. Well, when we left that spot, we went for a little while then they told us to stop again, we stopped; that is the time when Michael Jatta came to our vehicle, he opened the door, looked at us inside and then he was standing there. A little while later Michael Jatta said “before we reach the range these people should be killed.” They gave us some nylon bags, when we were given those nylon bags I took one of the bags and put it over the head of the prisoner between us, the prisoner’s hands were tied behind him when I put the bag over his head he was sitting between myself and Omar. Then that was the time when I started to strangle him but there was little push and pull, when we were having that push and pull with the prisoner to strangle him, Sambou was standing looking at us; but when he saw that the prisoner was resisting to be killed Sambou came and helped us to finish him. After killing him, when we reached at the range some of the members of the team alighted and went forward; but wherever we went for operations not all of us leave the vehicles to go some of us were left to check around the area to look around to see the environment.*”²⁴¹
201. **Lamin Sambou** stated that the victims had plastic bags over their heads when they boarded the vehicle.²⁴² He first stated that there was only one prisoner in his vehicle who was strangled by **Nfansu Nybally** who sat in the front seat while he and **Busso** sandwiched the prisoner and he only assisted in adjusting the neck of the prisoner after he had already been strangled. His evidence was quite evasive and he tried to avoid taking responsibility for his role in the execution of the prisoner who was in his vehicle. However, under cross examination, he admitted that there were in fact two (2) prisoners on board his vehicle²⁴³ and that he and **Busso** assisted, but only by holding down the prisoners when they were being strangled.²⁴⁴ Thereafter, they drove to the Brikama Firing Range where some other prisoners were strangled in the same manner.²⁴⁵
202. **Omar Jallow (Oya)** testified that it was when they arrived at the range that they brought down the prisoners. Some held them down while others suffocated and strangled them with plastic bags. Under cross examination, he stated that they all participated in the killings of the prisoners, including the police officers, **Modou Busso, Sulayman Sambou and Buba Badjie** who assisted by holding them down, and that the corpses were dumped in a well.²⁴⁶

240 Testimony of Lamin Badjie 6th August 2019 line 1034-1044

241 Testimony of Amadou Badjie 25th July 2019 line 927-942

242 Testimony of Lamnin SAMbou 7th August line 786-787

243 Testimony of Lamin Sambou 7th August 2019 line 676

244 Testimony of Lamin Sambou 7th August 2019 line 845

245 Testimony of Amadou Badjie 25th August 2019 line 1027-1030/ Testimony of Lamnin SAMbou 7th August line 847-851

246 Testimony of Omar Oya Jallow 24th of July 2019 line 198-228

203. **Amadou Badjie** on the other hand stated that **Omar Jallow (Oya)** must have made a mistake in his recollection of events because they strangled some of the prisoners in the car.²⁴⁷ When they arrived at the range, the prisoners who were not yet killed were brought down and killed in the same manner - by suffocation and strangulation.²⁴⁸ **Amadou Badjie** testified when they arrived at the range, he was asked to be on guard and wait for the Ministers, to usher them to the range. **Nuhu Badjie, Mustapha Sanneh, Modou Jarjue, Michael Jatta, Malick Manga and Sulayman Sambou** were present.²⁴⁹ He also confirmed that after the executions, the Minister of Justice and other officers walked around the corpses.²⁵⁰ . **Amadou Badjie** also testified that he saw **Gen. Sulayman Badjie** with the Interior Minister, Justice Minister, and “someone believed to be a Ghanaian whose identity could not be independently verified” at the range.²⁵¹ He confirmed the names of the victims contained in the Point newspaper article posted on African News, dated 28th August 2012 (exhibit 67) were as follows: **Malang Sonko, Dawda Bojang, Tabara Samba, Buba Yarboe, Lamin BS Darboe, Gibe Bah, Ex- Lt. Lamin Jarjue, Ex Lt. Alieu Bah, and Ex SGT Lamin F. Jammeh**. He however denied the caption that the deaths were by firing squad.
204. According to **Amadou Badjie**, after the ministers left, they picked up the dead bodies, placed them in vehicles and **Solo Bojang** led the way into the Cassamance forest where the bodies were dumped in an old well.²⁵²
205. After the operation, **Solo Bojang** assured the team that it was a state sanctioned execution and that they should not be afraid. According to **Lamin Badjie**, **Solo Bojang** told them that the executions would be announced over the radio.²⁵³
206. **Alieu Jeng** denied participating in the killings of the death row inmates. He testified that at that time he was an orderly attached to the Vice President’s office. He stated that this was in May 2011. Counsel rectified him and said the incident occurred in 2012. When he was informed that he was mentioned by **Lamin Badjie**, he reacted by saying that in 2012, he was not a rider. The rider was given to him when he was deployed at the Vice President’s office and it was with him until the impasse. He insisted that he knows nothing about the incident.²⁵⁴
207. It is pertinent to note that out of the four witnesses that testified on this issue, **Lamin Badjie** is the only one that placed **Alieu Jeng** at the firing range. As such, it is doubtful that **Jeng** was a member of the team at that time and participated in the executions of the death row inmates.

247 Testimony of Amadou Badjie 25th July 2019 line 1009- 1016

248 Testimony of Amadou Badjie 25th July 2019 line 1026-1029

249 Testimony of Amadou Badjie 25th July 2019 964-977

250 Testimony of Amadou Badjie 25th August 2019 line 1003-1005

251 Testimony of Lamin Badjie 6th August 2019 line 1142-1145

252 Testimony of Amadou Badjie 25th August 2019 line 1042-1055/

253 Testimony of Lambou sambou 7th August 2019 Line 1225-1226 /testimony of Lamin Badjie 6th August line 865-869

254 Testimony of Alieu Jeng 19th August line 1415-1440

ISSUES FOR DETERMINATION

208. On the execution of the death row inmates, the issues below deserve careful determination:

- i. *Whether the prisoners, as accused persons during their criminal trials, were charged with offences that attracted the death penalty as sentence upon conviction*
- ii. *Whether the execution of the death row inmates followed due process of the law Analysis*

209. First, whether the prisoners, as accused persons during their criminal trials, were charged with offences that attracted the death penalty as sentence upon conviction. The Commission notes that all the victims were convicted to death on charges of murder with the exception of **Ex-Lt. Lamin Jarjue, Ex-Lt. Alieu Bah, and Ex-SGT Lamin F Jammeh** who were convicted for treason which also carries death sentence upon conviction by a court of competent jurisdiction. From exhibit 67, it may be deduced that none of the prisoners exhausted their appeals in the domestic courts. Furthermore, the death sentence of **Lamin Darboe** was commuted to life imprisonment by **President Jawara** in 1991. Notwithstanding, according to exhibit 196H, this prerogative decision was reversed by **Yahya Jammeh** in 1995 and the death sentence was reinstated. In August 2012, he was among the prisoners executed by the State, carried out by the Junglers.²⁵⁵ There is no record before the Commission that the reversal of the committal of sentence from murder to life imprisonment by **Jammeh** in 1995 was administratively formalized. Thus, the execution was unlawful.

210. Section 251 of the Criminal Procedure code imposes an obligation on the Court to inform accused persons on their rights to appeal against conviction and within the time stipulated under law.²⁵⁶ The right to appeal the decision of the court is a fundamental right. It is both a constitutional, statutory and common law right for a party aggrieved with a decision of a court to appeal the same to the next appellate court and if any convict is deprived of this right, there is a fundamental miscarriage of justice and it is an affront to justice and the right to fair hearing, which includes the right to challenge decisions for the reconsideration of the issues determined by the lower court.²⁵⁷

211. The State also bears the burden to provide legal representation to accused persons charged with capital offences such as those that attract life imprisonment and the death penalty where such accused persons lack the means to seek the services of a private legal practitioner pursuant to the Legal Aid Act, 2008.²⁵⁸ In the exercise of the prerogative of mercy, the President can also pardon a person condemned to death by the courts.²⁵⁹

255 Testimony of Omar Amadou Jallow 28th January 2019 line 588-589

256 Section 251 Criminal Code, Volume 3 laws of the Gambia provides thus: "When an accused person is sentenced to death, the Court shall inform him of the period within which, if he wishes to appeal, his appeal should be preferred"

257 Section 271 (1) of the CPC provides that an appeal shall lie from a final decision of a subordinate court to the High Court Section 130 (1) of the Constitution provides that the Court of Appeal shall have jurisdiction to hear and determine appeals from judgments, decrees and orders of the High Court Section 128 (1) (b) of the Gambian Constitution states that "an appeal shall lie to the Supreme Court as of right from any judgment of the Court of Appeal dismissing an appeal from sentence of death imposed by any other court..."

258 See section 24(3) of the constitution and section thirty of the Legal Aid Act.
259 See section 50 of the CPC

212. Second, whether the execution of the death row inmates followed due process of the law. The criminal procedure Code does not explicitly state the manner in which death row inmates are to be executed. However, it provides that it should be done in a manner authorized by law.

213. Once a person is condemned to death, the law requires that the trial judge should make a report on the case and send it to the President and the Minister of Justice. The Minister is also required to advise the President on the issue. The President then makes an order and sends it back to the Judge to be reflected in the records.²⁶⁰ This is to ensure that the rule of law and fair administration of justice is observed and complied with even where a person is tried, found guilty and sentenced to death. Depriving one of the right to life, where sanctioned by law, still requires strict observance of the prescribed criminal procedural rules.

214. In this case, **Lamin Jobarteh** who was the Attorney General and Justice Minister at the time of the executions, claimed that he was not involved in or consulted by Jammeh with regards to the preparatory work for the executions of the nine death row inmates. He was confronted with the relevant death warrants which clearly indicated that the warrants emanated from and were processed by the Ministry of Justice. **Mr. Jobarteh** argued that the contents of the warrants suggesting that they were processed by the Ministry of Justice were false and claimed that the entire process was carried out by the Chief Justice and **President Jammeh**.

215. **Mr. Jobarteh** denied knowledge of this entire process. He however, confirmed that due process was not followed in the way and manner in which the executions were conducted. This therefore, is an express admission of an irregularity and unlawfulness in the entire execution process.

216. **Mr. Jobarteh** was then confronted with statements he had made defending the executions. In particular, Amnesty International Reported on the issues stating as follows, "The Gambian Ministry of Justice in a statement issued on August 24, 2012 defended Gambian's announcement about implementation of the death penalty", adding that due process as provided under section 18 of the Constitution was followed. When he was confronted with this report **Mr. Jobarteh** denied ever authorizing such a statement.²⁶¹ He was again confronted with an audio recording of him vehemently defending the executions almost along the same lines as described by Amnesty International in its report cited *supra*. **Jobarteh** accepted that he indeed defended the executions, but that he had no choice.

217. From the above, it is clear that **Mr. Jobarteh** played an important role in the execution of the death row inmates. His denial that he did not participate in the preparation of the documents, was not present in the actual executions and did not defend the lawfulness of the executions

260 See section 253 (1), (2), (3) and (4) of the CPC

261 Testimony of Lamin A.M.S Jobarteh, 11th February, 2021. "Jobarteh was reportedly present when the prisoners were dragged out of their cells to be killed. He was also at the military firing range in Brikama, where the death bodies were counted before being taken for disposal." Jobarteh said it was legal and in line with the laws of the Gambia." And, "Yahya Jammeh is not carrying out the death sentences because he wants to do it but he is under an obligation to do it according to the laws of the land," Jobarteh told the delegation. But in fact, also, there was an appearance on TV on GRITS, where Jobarteh went on to say that "the executed inmates had committed heinous crimes and were tried and found guilty by the courts." Citing the case of the Senegalese woman Tabara Samba as an example, Jobarteh said the executed woman poured hot oil in the ear of her husband, whose body was burnt and scorched by the substance." And then he asked, "what country will allow people to commit such crimes with impunity?" He added that "what the government has done is what should be done. You cannot just allow people to kill people and they get away with it. If it were your relative who was the victim of such a grotesque crime, what would you do if the perpetrator is allowed to go free?"

are all false. The documents themselves clearly show that they were prepared from and by the Ministry of Justice. This could not have happened without **Mr. Jobarteh's** involvement. Additionally, **Mr. Jobarteh** was identified by several witnesses as having been present in the forest to see and certify for themselves that indeed the victims were killed by **Yahya Jammeh's** Junglers. This identification is very strong as he was described both physically and in terms of his position. This could not have been mistaken identity. And finally, in spite of his earlier denials, it is abundantly clear (as demonstrated by his recorded audio statement) that he issued statements justifying the executions which he now decries as unlawful.

218. It can thus be concluded that the Former President **Yahya Jammeh**, **Lamin Jobarteh**, **General Saul Badjie**, and **Ousman Sonko** are responsible for the unlawful execution of the death row inmates. With regards to the Junglers, on this occasion, they did not know that the executions were procedurally unauthorised and thus unlawful. For this reason, although they physically carried out the killings, they ought not to legally bear any responsibility because they believed that the killings were sanctioned by the law. The Junglers were simply carrying out a court order.

W. UNLAWFUL KILLING OF TUMANI JALLOW AND ABDOLIE GAYE

219. Prior to the elections of 2016, the Headquarters of the APRC (**Jammeh's** party) was attacked by armed men and documents and voters' cards of unlawfully registered non-Gambians intended to bolster **Yahya Jammeh's** votes in the upcoming elections were burnt inside the building. **Tumani Jallow** was suspected to have participated in the arson. **Yahya Jammeh** ordered the Junglers to find and kill him.

220. In the case of **Abdoulie Gaye**, **Yahya Jammeh** suspected that he was providing information to the Freedom Online Newspaper (**Pa Nderry Mbai**) which was very critical of him and his government and posed a big threat to his re-election bid. **Yahya Jammeh** also ordered his arrest and execution.

221. **Omar Jallow (Oya)** testified that he believed that both **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. On December 22, 2016, members of the patrol team were assembled at their base in Kololi for a mission. This time, **Lt. Mustapha Sanneh** was in charge of the operation. He 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 Yahya Jammeh** had given order that they should be killed and that the NIA will hand over the two to them.²⁶²

222. At around nine (9) to ten (10) pm, the team met up with **Sheikh Omar Jeng**, an NIA commander, and two other NIA officers somewhere around Wullingkama Junction with two men in their custody. One of the men, **Tumani**, was handed over to **Omar Jallow (Oya)**,
Testimony of Omar Oya Jallow 24th of July 2019 line 1209-1211

Pa Sanneh and Saikouba Jarjue, while the other **Abdoulie Gaye**, and was handed over to **Sulayman Sambou**, **Lt. Michael Jatta**, **WO2 Fansu Nyabally** and **Malick Manga**.²⁶³ 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.

223. **Nuha** had picked up **Amadou Badjie** on the way because he was at his village during that time.²⁶⁴ According to **Omar Jallow (Oya)**, when they drove past Mandina Ba, **Major Momodou Jarjue (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 Jarjue (Rambo)** leaned over and blocked **Tumani Jallow's** nose and they suffocated him to death.²⁶⁵

224. **Pa Ousman Sanneh** testified that he was driving when **Tumani** was being killed in the vehicle, he heard **Tumani** saying: "*my senior you are taking me to kill me*" and **Oya** responded: "*Well that is the order I have received*".²⁶⁶

225. **Sanna Manjang** joined the convoy somewhere just before Bwiam, and he led them to the former **President Yaya Jammeh's** garden around Santaba. **Amadou Badjie** was asked to bring the digging tools from Sanna's vehicle and they started digging the grave. **Amadou Badjie**, **Sanna Manjang**, **Nfansu Nyabally**, **Omar Jallow (Oya)** and **Saikouba Jarjue** dug the grave and two corpses were removed from the vehicles and buried in a single grave.²⁶⁷

226. The members of the patrol team that participated in this mission were **Lieutenant Colonel Nuha Badjie**, **Major Momodou Jarjue (Rambo)**, **Captain Mustapha Sanneh**, **Captain Michael Jatta**, **Warrant Officer Fansu Nyabally**, **Warrant Officer Class 2 Malick Manga**, and **Staff Sergeant Sulayman Sambou**. **Sergeant Omar Jallow (Oya)**, **Sergeant Amadou Badjie**, and **Corporal Saikouba Jarjue**.²⁶⁸

227. **Pa Ousman Sanneh** believes that the killing of these individuals was ordered by **President Jammeh** because they work under directives and the orders filter from the President to **General Badjie**, then to **Nuha**.²⁶⁹ And **Omar Jallow (Oya)** testified that **Mustapha** informed them that the President ordered the killing of **Tumani** and **Abdoulie Gaye**.²⁷⁰ The following soldiers participated in the unlawful killings of **Tumani Jallow** and **Abdoulie Gaye**: **Lieutenant Colonel Nuha Badjie**, **Major Momodou Jarjue (Rambo)**, **Captain Mustapha Sanneh**, **Captain Michael Jatta**, **Warrant Officer Fansu Nyabally**, **Warrant Officer Class 2 Malick Manga**, **Staff Sergeant Sulayman Sambou**, **Sergeant Omar Jallow (Oya)**, **Sergeant Amadou Badjie**, and **Corporal Saikouba Jarjue**.

²⁶³ Testimony of Omar Oya Jallow 24th of July 2019 line 1092-1139 / Testimony of Pa Ousman Sanneh 7th August 2019 line 824-848

²⁶⁴ Testimony of Omar Oya Jallow 24th of July 2019 1185-1201 line 1185-1187/ Testimony of Amadou Badjie 25th July 2019 line 764-784

²⁶⁵ Testimony of Omar Oya Jallow 24th of July 2019 1185-1201 / Testimony of Pa Ousman Sanneh 7th August 2019 line 824-834

²⁶⁶ Testimony of Pa Ousman Sanneh 7th August 2019 line 836-843

²⁶⁷ Testimony of Amadou Badjie 25th July 2019 line 789-810 / Testimony of Omar Oya Jallow 24th of July 2019 line 1185-1234

²⁶⁸ Testimony of Pa Ousman Sanneh 7th August 2019 line 888-916

²⁶⁹ Testimony of Pa Ousman Sanneh 7th August 2019 line 1208-1212

²⁷⁰ Testimony of Omar Oya Jallow 24th of July 2019 line 860-866

X. TORTURES BY THE JUNGGLERS

228. **Yahya Jammeh** in his efforts to entrench himself in power used religion and the Supreme Islamic Council as some of his tools to solidify his dictatorship. He used the Supreme Islamic Council to persecute many of the religious leaders who challenged the views or positions of the Supreme Islamic Council or professed views of Islam that were different from his. To deal with his opponents, he would often use the NIA to arrest and interrogate them with a view to obtaining evidence unlawfully from them and to use same to secure their convictions on trumped up charges in his compliant courts. He would also use the Junglers to torture the victims to obtain evidence unlawfully and/or to punish the victims. Some examples are provided below:

1. TORTURE OF IMAM BABA LEIGH

229. **Imam Baba Leigh** was a reknowned critic of the Jammeh regime and an ardent human rights activist. He had often criticised the decisions of the Supreme Islamic Council and the persecutory activities of the Jammeh government against those they believed embraced a different version of Islam. For his open criticism of the Jammeh government in the press and during his regular sermons at his mosque during Friday prayers, the Imam was arrested and taken to the NIA on 2nd December, 2012.

230. At the NIA premises he was first interrogated by **Yankuba Badjie**, the Director General of the NIA and Deputy Director **Louis Gomez** at the time. After that, **Nuha Badjie** (Jungler) ordered members of the patrol team to torture the Imam.²⁷¹ They used sticks and hose pipes to beat him up for about half an hour.²⁷² **Amadou Badjie** testified that during the torture session, **Nuha** would ask them to stop and he would ask Imam Leigh questions²⁷³.

231. **Imam Baba Leigh** was tortured for several days by the Junglers. On the 9th day, the torturers took the witness to the back of the NIA compound and dug a hole like a grave. He was buried in it up to his chest and was told: “*today, if you do not talk, we will just bury you and finish with you.*” He was left half-buried for about an hour and a half before they returned and took him out.²⁷⁴ He also said that the Junglers would often put a plastic bag over his head to suffocate him as part of the tortures.

232. The Junglers that participated in **Imam Baba Leigh’s** torture were **Omar Jallow (Oya)**, **Amadou Badjie**, **Pa Sanneh**, **Saikouba Jarjue**, **Sulayman Sambou**, **Malick Manga**, **Nfansu Nyabally**, **Mustapha Sanneh**, **Michael Jatta**, **Captain Modou Jarjue aka Rambo** and **Nuha Badjie**.

2. TORTURE OF BA KAWSU FOFANA

233. **Imam Ba Kawusu Fofana** is also a controversial preacher. He used his sermons to criticise decisions of the Supreme Islamic Council and also make negative statements about the religious practices of the Jola ethnic group (**Yahya Jammeh’s** ethnic group). He was arrested and taken to the NIA.

²⁷¹ Testimony of Omar Oya Jallow, 23rd August 2019 781-786 / Testimony of Amadou Badjie 25th August 2019 line

²⁷² Testimony of Omar Oya Jallow, 23rd August 2019 line 785-809 / Testimony of Amadou Badjie 25th July 2019 587-591

²⁷³ Testimony of Amadou Badjie 25th July 201 line 9507-523

²⁷⁴ Testimony of Baba Muktarr Leigh 22nd January , paras 1663 – 1676

234. **Amadou Badjie** testified that on one occasion, they went to the NIA on mission at midnight, and another person was brought before them. **Nuha Badjie** ordered them to deal with him. He did not know the name of the person at that time.²⁷⁵ During the torture session, **Mustapha** was questioning the detainee before them about insulting a tribe, and the leader of the group mentioned the name **Ba Kawusu**. According to **Omar Jallow**, **Ba Kawusu** was tortured by the group that participated in the torture of **Imam Baba Leigh**.²⁷⁶ He stated that during that time, most of them were high on weed and “zum zum”²⁷⁷.

3. TORTURE OF MILITARY OFFICERS

231. After the 2006 failed coup attempt, several military personnel and civilians were arrested and directly detained at the Mile II Central Prison on suspicion of their involvement in the coup. An investigation panel, comprising of the NIA, Police and Army was set up to investigate those involved. The panel included **Momodou Hydara** then NIA Director, **Nfally Jabang**, **Tumbul Tamba**, **Musa Jammeh**, **(Maliamungu)** – all three are now deceased. **Lang Tombong Tamba** and many others.²⁷⁸ The Junglers were working side by side with the investigation panel.²⁷⁹ There was an investigation team, arresting team and a torture team.²⁸⁰ The interrogations occurred at night when satisfactory answers were not obtained from the suspects, they were sent to the torture team who would torture them severely²⁸¹.

232. Most of the members of the patrol team who participated in this activity were under the influence of alcohol.²⁸² Some members of the group that were on the ground were **Sanna Manjang**, **Mustapha Sanneh**, **Alieu Jatta**, **Michael Jatta**, **Alieu Jeng** and **Nfansu Nyabally**, **Ismalai Jammeh**, **Tumbul Tamba** and **Manlafi Corr**.²⁸³ It was during these times that the group were referred to as the *Black Black*.²⁸⁴

233. **Malick Jatta** testified that he only participated in beating **General Savage**. **Alieu Jeng** and **Nfansu Nyabally** were sent to fetch sticks. He was given a stick and **Musa Jammeh (Maliamungu)** ordered him and his team to beat **General Savage**. The people in his team were **Ismaila Jammeh**, **Sanna Manjang**, **Michael Jatta**, **Mustapha Sanneh**, **Alieu Jeng**, **Nfansu Nyabally** and **Tumbul Tamba**, the Commander.²⁸⁵ He stated that the beating went on for about two weeks and he refused to participate in the beatings that took place after this.²⁸⁶

234. Like **Malick Jatta**, **Alieu Jeng** also admitted participating in the torture of **General Savage**. He stated that he and **Nfansu Nyabally** were tasked to get the sticks that were used to beat the victims. **Musa Jammeh** ordered them to beat **Pharring Sanyang**. Those who participated in this torture were **Ismaila Jammeh**, **Sanna Manjang**, **Michael Jatta**, **Mustapha Sanneh**,

²⁷⁵ Testimony of Amadou Badjie 25th July 2019 line 525-533

²⁷⁶ Testimony of Amadou Badjie 25th July 2019 line 561-563 / Testimony of Omar Oya Jallow, 23rd August 2019 line 817-832 (Zum zum is a locally produced alcohol that is highly intoxicating)

²⁷⁷ Testimony of Amadou Badjie 25th July 2019 line 543-545

²⁷⁸ Testimony of Ismaila Jammeh 5th August line 2735- 2761

²⁷⁹ Testimony of Alieu Jeng 8th August 2019 line 1229-1233

²⁸⁰ Testimony of Alieu Jeng 8th August 2019 line 1245-1250 / Testimony of Ismaila Jammeh 5th August line 2565-2566

²⁸¹ Testimony of Malick Jatta 23rd July 2019 line 645-65 9page 30

²⁸² Testimony of Ismaila Jammeh 5th August line 2507-2508

²⁸³ Testimony of Ismaila Jammeh 5th August line 2790-2810

²⁸⁴ Testimony of Malick Jatta 22nd July 2019 line 331- 332

²⁸⁵ Testimony of Malick Jatta 23rd July 2019 line 665-710

²⁸⁶ Testimony of Malick Jatta 23rd July 2019 line 713 – 726

- Aliue Jeng, Nfansu Nyabally and Tumbul Tamba.** All of them participated in the beatings. **Tumbul Tamba** was the commander.²⁸⁷
235. **Ismaila Jammeh** was quite evasive when he was giving evidence as to the torture carried out at the NIA during the failed 2006 coup investigations. He denied being present when torture was meted out to detainees. The interrogations occurred at night, and during that time most of the patrol team members were drunk. There were several detainees at the NIA giving their statements, and people could be seen strewn all over the place.²⁸⁸ He stated that he witnessed the torture of **General Savage**. Under cross examination, he said he was at the NIA for operations to escort people to and from prisons to the NIA and that he only escorted **Pharing Sanyang** and **Pierre Mendy** from Mile II Prison to the NIA. Later, he said he could not recall how many times he went to the NIA. Under cross examination, he stated that it was necessary for the team to go to Mile II Prison from time to time, and insisted that he went to the NIA to observe interrogations and to learn how they were conducted..
236. **Ismaila Jammeh** told the Commission that detainees were tortured at the NIA by his group. He insisted that he was a mere “security man” and stated that the initial order was to escort detainees but that command changed. He said “*a command can change overnight and bring another new thing to the system.*” He said the command changed, and they were ordered to torture the detainees. He said he participated in some tortures with **Sanna Manjang**, **Mustapha Sanneh**, **Aliue Jatta**, **Michael Jatta**, **Aliue Jeng** and **Nfansu Nyabally** and **Tumbul Tamba** was the Commander.
237. **Ismaila Jammeh** also said that when **General Savage** was being tortured, he indicated to the team that it was not right. **Ismaila** testified that **General Savage** was not beaten and when the evidence received by the Commission that **General Savage** was beaten was put to him, **Ismaila** responded that may have happened in his absence.²⁸⁹ He said that **Malick Jatta**’s statement that he was present when **General Savage** was tortured is untrue.
238. **Ismaila Jammeh** further testified that **Savage** could not have been tortured because he did not commit an offence. However, he admitted that those considered to have committed an offence were tortured. **Ismaila** insisted that he did not participate in tortures.²⁹⁰ He then stated that he witnessed tortures including the torture of **General Savage**, contradicting his earlier statement that **General Savage** was not tortured.
237. **Ismaila Jammeh** admitted that **Sergeant Buba Jammeh** was also tortured on a different occasion.²⁹¹ He also admitted that **Major Yaya Darboe** was tortured by his group consisting of **Malick Jatta**, **Sanna Manjang**, **Michael Correa** and **Aliue Jeng**. He then retracted and said that he did not torture **Yaya Darboe**.²⁹² **Ismaila** admitted that civilians may have been tortured on the ground but claimed he was not aware of it. He then continued to say he could recall some people being arrested as being part of the 2006 failed coup.²⁹³ **Ismaila** further stated that he remembers **Lamin Cham**, a reporter being arrested and tortured but once again

287 Testimony of Malick Jatta 23rd July 2019 line 664-712 page 30-32
 288 Testimony of Ismailia Jammeh 5th August 2019 line 2504-2523
 289 Testimony of Malick Jatta 23rd July 2019 line 2920-2921
 290 Testimony of Ismailia Jammeh 5th August 2019 line 2917-3022
 291 Testimony of Ismailia Jammeh 5th August 2019 line 3066-3077
 292 Testimony of Ismailia Jammeh 5th August 2019 line 3082-3160
 293 Testimony of Ismailia Jammeh 5th August 2019 line 32000-3209

contracted himself by saying that he could not remember **Lamin Cham** being tortured.²⁹⁴ **Ismaila** went on to say that he participated in the torture of **Bunja Darboe**. According to him, he held the hands of **Bunja** whilst the other team members beat him. **Ismaila** then changed his testimony and said “*maybe I beat him.*”²⁹⁵

238. **Aliue Jeng** also admitted before the Commission that he was part of the team that escorted the detainees from the Mile II Central Prison to the NIA headquarters. However, he maintained that the detainees were tortured at Mile II and not at the NIA. He admitted participating in the torture of some of the detainees they escorted to Mile II.

239. **Aliue** stated that he was usually tasked with bringing the sticks to be used, while the rest of the team did the beating. He insisted that he had never beaten anyone.²⁹⁶ However, he did provide the sticks knowing that the individuals would be tortured, as he would hear them screaming when they were being beaten. He testified that he escorted about five people to the NIA who were tortured. **Aliue** testified that he did not participate in the beating of **General Savage** but escorted him to and from the Mile II Central Prison to the NIA. The team including **Malick Jatta** carried out beatings.

240. In Paragraph 7 of **Aliue Jeng**’s TRRC statement (i.e. Exhibit 70) was read to him in which he did not mention **Pharing Sanyang** or **General Savage**. It was put to him that he conveniently failed to include those facts. However, he denied the allegation.²⁹⁷

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241. **Pa Ousman Sanneh** testified that he saw dead bodies, including those of **Lamin Sanneh**, **Jarja Nyass** and **Njaga Jagne**. He also saw **Private Njie** who was almost beaten to death.²⁹⁸
242. The following day, **General Saul Badjie** called **Nuha Badjie** and asked them to take Lieutenant Colonel Sarjo Jarjue to the NIA. On their way, they picked up **Captain Ablie Jobe** at the hall of the Quick Reaction Force. The people that participated in this mission were himself, **Lieutenant Colonel Nuha Badjie**, **Major Momodou Jarjue (Rambo)**, **Captain Mustapha Sanneh**, **Captain Michael Jatta**, **Captain Michael Correa**, **WO1 Nfansu Nyabally**, **WO2 Malick Manga**, **Staff Sergeant Sulayman Sambou** and **Sergeant Omar Jallow (Oya)**.²⁹⁹ When they arrived at the NIA, **Nuha Badjie** had a conversation with the Director General of the NIA and they brought down **Lieutenant Colonel Sarjo Jarjue**. They took him to a room, placed him on a table where some held his hands while others held his feet. **Sulayman Sambou** and **Michael Jatta** beat him with hosepipes for almost thirty (30) minutes. The same thing was done to **Captain Ablie Jobe** for twenty (20) minutes.³⁰⁰ **Omar Jallow (Oya)** also testified that he participated in the torture of **Lieutenant Colonel Sarjo Jarjue (Hitler)**, **Lieutenant Amadou Sowe** and another Captain from the training school whose name he could not remember.³⁰¹

294 Testimony of Ismailia Jammeh 5th August 2019 line 3277- 3340
 295 Testimony of Ismailia Jammeh 5th August 2019 line 3348-3370
 296 Testimony of Aliue Jeng 8th August 2019 line 1265- 1351
 297 Testimony of Aliue Jeng 8th August 2019 line 1384-1400
 298 Testimony of Pa Ousman Sanneh 7th August 2019 line 956- 994
 299 Testimony of Pa Ousman Sanneh 7th August 2019 line 997-1040
 300 Testimony of Pa Ousman Sanneh 7th August 2019 line 1042-1074
 301 Testimony of Omar Oya Jallow, 23rd August 2019 line 770-773

Z. CRIMINAL RESPONSIBILITY OF THE JUNGGLERS

243. The evidence shows that **Yahya Jammeh** has responsibility for the crimes committed by the Junglers both individually and as a commander of the group.

INDIVIDUAL CRIMINAL RESPONSIBILITY OF YAHYA JAMMEH FOR THE CRIMES OF THE JUNGGLERS

The evidence received is that the patrol team was set up by the **President Yahya Jammeh**. He was also responsible for organizing and coordinating the activities of the Junglers through a command structure that was directly answerable to him through **General Sulayman "Saul" Badjie**. **Yahya Jammeh** is individually responsible for these crimes on the basis of the following:

Yahya Jammeh is the architect of the Junglers. He created it as a killer squad purposely to serve his interest. He created it to kill, torture or punish persons he perceived to be his enemies. He also used state resources to pay their salaries and maintain them even though many of them were never going to work regularly. By creating this group that was committing massive violations of human rights and serious crimes with impunity, **Yahya Jammeh** is individually responsible for the crimes they committed.

244. **Yahya Jammeh** issued the operational orders to the Junglers through the commanders of the group. The commanders of the group - initially **Tumbul Tamba** and after his demise **Gen. Sulayman Badjie** - provided direction and guidance to the group after receiving orders from the former **President Yahya Jammeh**. For instance, in the killing of **Deyda Hydara, Malick Jatta** overheard **Tumbul Tamba** saying: “*Yes Sir, Your Excellency*” when receiving orders on the phone from **President Jammeh**.³⁰² In some instances, President Jammeh directed how the victims were to be killed. For example, in the case of **Mamut Ceesay** and **Ebou Jobe, Amadou Badjie** testified that **Nuha Badjie** informed them that “**Yahya** said: “*let us kill these people and cut them up into pieces like they would do meat.*”³⁰³ With regards to the killing of **Mustapha Colley, Omar Jallow (Oya)** testified that the same **Nuha Badjie** told them that **Yahya Jammeh** gave instructions that the body be disposed of in a way similar to the manner in which **Ello Jallow**’s body was disposed.³⁰⁴ Even in the execution of the deathrow inmates³⁰⁵ and the killing of the West African migrants, **Yahya Jammeh** issued the operational orders for these executions to take place.

245. **Yahya Jammeh** also rewarded members of his Junglers squad when they carried out some of his orders of killing his “enemies”. After murdering **Deyda Hydara, Malick Jatta** testified that **Tumbul Tamba** gave him an envelope with some dollars and told him, “**this is a token of appreciation from the Big Man**”, a term used to refer to **President Yahya Jammeh**.³⁰⁶ The said sum amounted to Fifty Thousand Dalasi (**D50, 000.00**).³⁰⁷ After the killing of the deathrow inmates, **Lamin Sambou** testified that he received a sum of **D5, 000** from **Mustapha Sanneh**, who informed him that it was a token from the Big Man.³⁰⁸ This was corroborated by **Lamin Badjie**.³⁰⁹ **Omar Jallow (Oya)** testified that the Senegalese spy that

³⁰² Testimony of Malick Jatta 22nd July 2019 line 828-832

³⁰³ Testimony of Amadou Badjie 25th July 2019 line 1102-1211

³⁰⁴ Testimony of Omar Oya Jallow 24th of July 2019 line 700-712

³⁰⁵ Testimony of Lambou sambou 7th August 2019 Line 1225-1226 /testimony of Lamin Badjie 6th August line 865-869

³⁰⁶ Testimony of Lambou Sambou 7th August 2019 Line 1225-1226 /testimony of Lamin Badjie 6th August line 865-869

³⁰⁷ Testimony of Malick Jatta 22nd July line 201976-987

³⁰⁸ Testimony of Lamin Sambou 7th August line 2019 934-936

³⁰⁹ Testimony of Lamin Badjie 6th August line 1388-1408

disclosed the location of **Mahawa Cham** and **Saul Ndow** was paid the sum of One Hundred and Twenty Five Million, CFA (CFA 125, 000, 000) equivalent to US Dollars Two Hundred and Thirty Four Thousand (\$234.000).³¹⁰ Additionally, members of the group were paid an allowance of Five Thousand Dalasi (**D5000**) every three months or so by the **former President**.³¹¹ The former **President Yahya Jammeh** also provided some of the Commanders of the Junglers with free accommodation. Furthermore, the evidence reveals that former **President Yahya Jammeh** was the sole sponsor of the group and he rewarded the Junglers for their participation in killings.

246. **Sanna Manjang, Malick Jatta, Mustapha Sanneh** and **Ismaila Jammeh** with his family members were given free accommodation at a residence previously owned by **Baba Jobe** (a former close ally of the President)³¹² and confiscated by **Yahya Jammeh**. The said residence also served as one of the bases of Junglers.

247. Additionally, the **President** organized parties for the Junglers. During such parties, the group indulged in reckless consumption of alcohol and free and open smoking of cannabis despite its criminalisation by the law.³¹³ All these were done or allowed by **Yahya Jammeh** to win the continued loyalty and unwavering support of the Junglers.

247. **Yahya Jammeh** also ensured that there was massive concealment of evidence of his crimes. The Junglers would often bury their victims of unlawful killing in properties owned and/or controlled by **Yahya Jammeh** or away from Gambian territory. **Solo Bojang** and **Sanna Manjang** were instrumental in ensuring that the bodies of their victims were disposed of in hidden locations. The bodies of their victims were thrown in wells or buried in **Yahya Jammeh**’s lands and gardens.

248. President Jammeh used his influence to cover up some of the killings carried out by the Junglers. For example, in the case of **Deyda Hydara, Ebou Jobe** and **Mamut Ceesay** the government issued press statements denying involvement in the former’s death and the latter two’s enforced disappearances. In the case of **Daba Marenah and six others**, President Jammeh worked with **Harry Sambou, Ousman Sonko** and **Tumbul Tamba** on a press release that misled the public on how the victims disappeared when in fact he ordered their killing.

249. Individual criminal responsibility can also be attributed to each of the Junglers that participated in these heinous acts. Gleaned from their respective evidence, the Junglers knew that the killings they carried out were unlawful yet, they obeyed unlawfully issued orders from their superiors. The defence given by most of them was that they remained in the group out of fear of being killed themselves. However, they were unable to provide concrete basis for this belief. They were active participants in each of the killings they were ordered to carry out and the concealment of their crimes by disposing the bodies in hidden locations shows their level of culpability in terms of criminal responsibility.

250. As part of a state apparatus of power that was organized at the highest levels to carry out secret executions and torture, each Jungler is responsible for the individual crimes he committed individually or jointly with others. They served **Yahya Jammeh** with blind loyalty, by responding to his orders and carrying out acts of killings and torture without any

³¹⁰ Testimony of Omar Jallow 24th July line 926-941

³¹¹ Testimony of Omar Jallow 24th July 2019 line 994-999

³¹² Testimony of Malick Jatta 23rd July 2019line 467 -488

³¹³ Testimony of Amadou Badjie 6th August 2019 line 658- 663

reservations and with complete impunity. They participated in these unlawful acts without any questions and executed orders as instructed regardless of how heinous the crime, thereby disregarding the sanctity of their oaths to serve and protect the The Gambia and its citizens.

RESPONSIBILITY AS COMMANDER

251. As the Commander-in-Chief of the Army, the former President of the Gambia, **Yahya Jammeh** had effective authority and control over the Junglers. The Junglers were strategically placed under the State Guards Battalion Commanded by **General Saul Badjie**, who was directly answerable to **Yaya Jammeh**. The evidence further revealed that the group was engaged in clandestine operations specifically focusing on killings and torture of persons that were considered to be detrimental to the interests of **Yahya Jammeh**.
252. As mentioned in the report on the November 11, 1994 killings, it is important to draw inspiration from international treaties on the issue of responsibility of commanders and other superiors. Article 28 of the Rome Statute provides that a military commander or person acting as such shall bear criminal responsibility for crimes [within the jurisdiction of the court] committed by forces under his or control or for his/her failure to exercise control properly over such forces:³¹⁴

ARTICLE 28 RESPONSIBILITY OF COMMANDERS AND OTHER SUPERIORS

- 253.. In addition to other grounds of criminal responsibility under this Statute for crimes within the jurisdiction of the Court:
- (a) *A military commander or person effectively acting as a military commander shall be criminally responsible for crimes within the jurisdiction of the Court committed by forces under his or her effective command and control, or effective authority and control as the case may be, as a result of his or her failure to exercise control properly over such forces, where:*
- (i) That military commander or person either knew or, owing to the circumstances at the time, should have known that the forces were committing or about to commit such crimes; and
- (ii) That military commander or person failed to take all necessary and reasonable measures within their power to prevent or repress their commission or submit the matter to the competent authorities for investigation and prosecution.

- (b) *With respect to superior and subordinate relationships not described in paragraph (a), a superior shall be criminally responsible for crimes within the jurisdiction of the Court committed by subordinates under his or her effective authority and control, as a result of his or her failure to exercise control properly over such subordinates, where:*
- (i) The superior either knew or consciously disregarded information that indicated that the subordinates were committing or about to commit such crimes;

- (ii) The crimes concerned activities that were within the effective responsibility and control of the superior; and
- (iii) The superior failed to take all necessary and reasonable measures within his or her power to prevent or repress their commission or submit the matter to the competent authority for investigation and prosecution.³¹⁵

254. From the above, it is clear that **Yahya Jammeh** had as commander in Chief of the Armed Forces in the Gambia also bears responsibility for the crimes of the Junglers exposed in this report because he created the Junglers and had effective command and control over their activities. Not only were they carrying out the killings on his behalf or in his interest, the Junglers concealed the bodies of their victims in vast farms owned and controlled by **Yahya Jammeh**. It would not have been possible to use his farms to conceal the remains of the victims without his approval. Additionally, instead of investigating the killings that took place on his behalf and prosecuting the perpetrators, **Yahya Jammeh** shielded them from justice by failing to conduct investigations and choosing to cover up the crime by issuing false statements.

ASSESSMENT OF THE CREDIBILITY OF THE WITNESSES

- a. Malick Jatta confessed his involvement in five separate incidents/operations of killings. These include the unlawful killings of (a) Dawda Nyassi, (b) Ndongo Mboob, (c) Deyda Hydara, (d) thirty foreign nationals (Ghanaians and other West African migrants), and (e) Daba Marenah and six others. He provided detailed accounts of how these killings were carried out, the perpetrators involved and who gave the orders for those killings to be carried out. However, with respect to the killings of the foreign nationals, the West African migrants mostly from Ghana, the evidence of Omar Jallow (Oya) and Alien Jeng suggest that Malick Jatta lied or at least minimized and downplayed his own participation in that incident. Malick Jatta had testified that at the time of the incident, he had grown apprehensive and had serious reservations about the unprovoked killings that the Junglers were carrying out and because of that, he was reluctant to take part in killing the migrants and so he decided to sit in the vehicle.
- b. Alieu Jeng and Omar Jallow (Oya) however, testified that Malick Jatta and Sanna Manjang in fact carried out the killings and that the two of them escorted the victims to Malick Jatta and Sanna Manjang who carried out the killings. When this contradictory evidence was put to the witness, he still maintained that he did not participate in the killings. Looking at the entirety of facts and evidence surrounding this episode, the Commission believes that Malick Jatta's evidence in general was very revealing and demonstrates an intention to assist the Commission in unearthing the truth. However, with regards to the unlawful killings of the West African migrants, Jatta did not make a full disclosure of his participation in the massacre. He appears to have intentionally left out facts that are incriminatory to minimize his responsibility in this incident. However, the Commission holds and finds that overall, he was truthful with regards to the other incidents as other witnesses corroborated his accounts.

- c. Omar Jallow (Oya) provided detailed accounts of thirteen incidents of killings. Out of this number, he confessed to being involved in twelve incidents affecting fifty-seven (57) direct victims. They include (1) thirty West African migrants, (2) Haruna Jammeh, (3) Mustapha Colley, (4) nine deathrow inmates, (5) Mamut Ceesay and Ebou Jobe, (6) Ndure Cham, (7) Momodou Lamin Jasaja Kujabi, (8) Daba Marenah and six others³¹⁶, (9) Baba Jobe, (10) Saul Ndow and Mahawa Cham, (11) Ello Jallow, (12) Tumani Jallow and Abdoulie Gaye and (13) Mariama Camara and her husband. Omar Jallow was the most credible witness from among the Junglers. The Commission believes that he neither shielded himself from responsibility nor minimised his role in the unlawful killings carried out by the Junglers.
- d. Alieu Jeng admitted to participating in five incidents of killings. They were the killings of (1) Dawda Nyassi, (2) Deyda Hydara, (3) Haruna Jammeh, (4) Thirty West African Migrants, (5) Daba Marenah and six others, in a total of forty victims as well as five incidents of torture. The witness was consistently and intentionally evasive throughout his testimony and he admitted lying to the Commission six times during his testimony. For example, he admitted lying about the killings of Dawda Nyassi,³¹⁷ and Deyda Hydara³¹⁸ in his first statement to the TRRC³¹⁹ compared to his oral testimony. Even after apologising for misleading and lying to the Commission, he continued to mislead the Commission about the killing of Haruna Jammeh.³²⁰ At first, he told the Commission that he never worked with Solo Bojang³²¹ but when probed further, he admitted working with the latter and said that Bojang was the commander in the operations to kill Haruna Jammeh and the West African Migrants as well as his own participation in these killings. In terms of his involvement in acts of torture, Alieu Jeng was also very evasive. He only admitted to bringing the tools such as sticks that were used to beat victims³²² such as General Savage.³²³ Overall, Alieu Jeng was not very credible. He only accepted the allegations against him when he realised that he had been caught misleading the Commission.
- e. Ismaila Jammeh, who claims to be related to Yahya Jammeh,³²⁴ gave evidence of his involvement in two incidents of killings and torture at the NIA. However, during his testimony, he only admitted to participating in the killing of Almamo Manneh in which he suggested that the killing of Almamo was in self defence. He conveniently stated that he excused himself when his team took Daba Marenah and his cohort into the bush and he did not hear any gun shots, even though Malcik Jetta testified that the victims were shot. The Commission had the opportunity to observe his demeanor in person and his responses to issues manifested his continued loyalty to the former President Yaya Jammeh. Ismaila Jammeh was at pains to bring himself to accepting that Yahya Jammeh entrusted him the responsibility to recruit soldiers from within the ranks to join the Jungler training.³²⁵ Even though he was a close protection officer to Yahya

³¹⁶ Omar Jallow claimed that he was not involved in the unlawful killing of Daba Marenah and 6 others.

³¹⁷ Testimony of Alieu Jeng 8TH August 2019, line 1336

³¹⁸ Testimony of Alieu Jeng 8th August 2019 line 1786-1789

³¹⁹ Testimony of Alieu Jeng 8th August line 1424-145

³²⁰ Testimony of Alieu Jeng 8th August 2019 line 2237-2244

³²¹ Testimony of Alieu Jeng 19 th August 2019 line 397-399

³²² Testimony of Alieu Jeng 19th August 2019 line 1265- 1273

³²³ Testimony of Alieu Jeng 19th August 2019 line 1340-1351

³²⁴ Testimony of Ismailia Jammeh 5th August 2019 89 -100

³²⁵ Testimony of Ismailia Jammeh 5th August 2019 line 792-819

Jammeh from 1998 and had served in that capacity for more than fifteen years,³²⁶ he emphasized that the Junglers did not engage in any illegal operations³²⁷ and he never witnessed any beatings carried out for Jammeh.³²⁸ Throughout his testimony, he was very evasive, vague and avoided taking responsibility for human rights violations committed by him and members of his group. As a whole, his evidence was devoid of the credibility the Commission expected. With respect to tortures carried out by the Junglers in the aftermath of the 2006 foiled coup, Ismaila Jammeh stated that he did not witness any torture,³²⁹ but under cross examination he stated that he witnessed it but did not go close to where it was happening.³³⁰ He testified that he witnessed the torture of General Savage,³³¹ but he later said that Savage was not beaten in his presence. He claimed that he could not remember how many times he went to the NIA during that period.³³² The witness failed to provide coherent details of any incidents of torture even though he was present at the NIA during that crucial and material period following the 2006 failed coup. In fact Malick Jatta implicated him in the torture of General Savage.³³³

- f. Pa Osman Sanneh said that he participated in the killings of (1) Baba Jobe, (2) Ebou Jobe and Mamut Ceesay, (3) Tumani Jallow and Abdoulie Gaye, and (4) the torture of the soldiers accused of the 30th December attacks. In his narration of the killing of Baba Jobe, he contradicted himself several times in a bid to extricate himself from that incident. He first stated that he met his team members at the Arch and they all headed to Banjul and he was not briefed about the mission and that after his team mates entered Baba Jobe's room, he reported to Nuha Badjie and that was when he knew that Baba Jobe was in that room.³³⁴ His TRRC statement was put to him in which he suggested that he was briefed but he denied this in his testimony.³³⁵ He also stated that he picked up Oya and Malick Manga on his way, and that he found Nuha Badjie at Arch 22.³³⁶ He retracted this and said that he found Oya and others at Banjul Pharmacy.³³⁷ Even though all these inconsistencies and contradictions emerged, he insisted that he did not enter Baba Jobe's room. Premised on the above observations, it is evident that the witness tried to minimise his involvement in the killing of Baba Jobe. For the killings of Tumani Jallow and Abdoulie Gaye, he provided detailed evidence of the incident which corroborated the evidence of Omar Jallow (Oya). He also admitted his involvement in the torture of soldiers suspected of plotting the December 30th attacks. By and large, this witness was generally truthful.
- g. Amadou Badjie participated in the killings of (1) Mamut Ceesay and Ebou Jobe, (2) the nine deathrow inmates and (3) the tortures of Imam Baba Leigh and Imam Ba Kawsu Fofana at the NIA. In each of these incidents, Amadou Badjie's detailed

³²⁶ Testimony of Ismalia Jammeh 5th August 2019 line 241-242

³²⁷ Testimony of Ismalia Jammeh 5th August 2019 line 1291-1310

³²⁸ Testimony of Ismalia Jammeh 5th August 2019 line 1316-1332

³²⁹ Testimony of Ismalia Jammeh 5th August 2019 line 2505

³³⁰ Testimony of Ismalia Jammeh 5th August 2019 line 2505

³³¹ Testimony of Ismalia Jammeh 5th August 2019 line 2553-2563

³³² Testimony of Ismalia Jammeh 5th August 2019 line 2575-2595

³³³ Testimony of Malick Jatta, 23rd July 2019, lines 663- 711

³³⁴ Testimony of Pa Ousman Sanneh 7th August 2019 line 857-865

³³⁵ Testimony of Pa Ousman Sanneh 7th August 2019 line 989-995

³³⁶ Testimony of Pa Ousman Sanneh 7th August 2019 line 159-160

³³⁷ Testimony of Pa Ousman Sanneh 7th August 2019 line 90-108

accounts were corroborated by other witnesses implicated in those incidents. Amadou was generally truthful about the events he recounted.

- h. Lamin Sambou, from the PIU, was co-opted into the infamous group (the Junglers). He participated in the killings of the death row inmates. He admitted that he knew what the group was engaged in even before he joined. During his testimony, he tried to extricate himself from participating in the strangulation of the death row inmates that were executed by the State. However, he eventually admitted that he assisted in strangling the inmates.
- i. Lamin Badjie, also from the PIU, was similarly co-opted into the group like Lamin Sambou. He was implicated in the killings of the death row inmates. During his testimony, he suggested that he did not witness the execution of the inmates. However, he admitted assisting in disposing of the bodies of the inmates. Lamin Badjie's testimony was not corroborated by any of the witnesses that participated in this mission. In contrast, Omar Jallow (Oya) and Amadou Badjie placed him at the scene of the executions when the remaining inmates were strangled at the firing range. As such, his evidence that he was absent from the scene of the execution which had been contradicted undermines his credibility as a whole.

FINDINGS

THE COMMISSION FINDS AS FOLLOWS:

1. **Yahya Jammeh** created the Junglers as a killer squad to be used to eliminate his enemies or people he perceived as threats to his rule.
2. As Commander in Chief of the Armed Forces, **Yahya Jammeh** was the ultimate commander of the Junglers. However, he occasionally directly commanded or issued instructions directly to the Junglers to carry out certain killings or to carry them out in a particular manner.
3. As the creator/architect of the Junglers, he gave them a command structure involving within the State Guard Battalion and made the State House their Headquarters thereby giving him greater control over the activities of the Junglers.
4. **Yahya Jammeh** used the Junglers to carryout killings and other human rights violations of his perceived enemies as well as other massive human rights violations discussed below.
5. **Dawda Nyassi** was killed on the orders of **Yahya Jammeh**. He was picked up from Serrekunda by **Tumbul Tamba, Sanna Manjang, Alieu Jeng and Malick Jatta**. The evidence shows that all four Junglers participated in his unlawful killing. During the killing **Malick Jatta** said to the man, "*in the interest of my country we are ordered to gun you down.*"³³⁸ All four of them shot the victim to death.³³⁹

³³⁸ Testimony of Malick Jatta 22 July 2019 line 580-582

³³⁹ Testimony of Malick Jatta 22July 2019 line 572-579 page 27

6. **Ndongo Mboob** was handed over to the Junglers (**Tumbul Tamba, Solo Bojang, Sanna Manjang, Alieu Jeng and Malick Jatta**) by the NIA. They took him to Bunubor Gardens where they killed him. **Ndongo Mboob** was killed because of differences he had with **Yahya Jammeh**. The fact that there was no investigation of his fate and whereabouts when he went missing shows that **Yahya Jammeh** intended that he remained disappeared and that the fact about his killing would not be known. Additionally, the fact that he was buried in Bunubor Gardens which belonged to and was under the control of **Yahya Jammeh** at the time clearly indicate that **Yahya Jammeh** did not wish the fact about **Ndongo Mboob**'s killing to be known.
7. Lawyer **Ousman Sillah** defended **Baba Jobe** when he was charged before the courts after Baba Jobe had a falling out with **Yahya Jammeh**. **Lawyer Sillah** had consistently opposed **Yahya Jammeh** whom he accused of wanting to entrench himself in power. **Yahya Jammeh** ordered his assassination and the Junglers attempted to kill him. **Lawyer Sillah** survived the gunshot injuries after he was evacuated to Senegal for treatment.
8. **Deyda Hydara**-a veteran journalist-who in his column "Good morning Mr. President" published in the Point Newspaper was regarded by **Yahya Jammeh** as one of his most ardent critics. **Yahya Jammeh** ordered the Junglers to kill him. Two groups of the Junglers one headed by Tumbul Tamba and the other by **Kawsu Camara (Bombardier)** ambushed him at Kanifing in December 2004 and shot him. He died of his gunshot wounds and two of his staff members sustained serious injuries. After the execution, **Yahya Jammeh** rewarded the Junglers by giving them cash in Dollars -**Malick Jatta** received an equivalent of Fifty Thousand Dalasis (D50,000) as "a token of appreciation from the big man" (referring to **Yahya Jammeh**).
9. **Haruna Jammeh** and **Jasaja Kujabi** were brother and cousin respectively of **Yahya Jammeh**. They fell out with **Yahya Jammeh** who believed that the duo planned to kill him so that they will take his properties. Yahya Jammeh decided to act first by ordering the Junglers to kill them. **Tumbul Tamba, Solo Bojang, Sanna Manjang, Omar Jallow (Oya)** and **Alieu Jeng** organized and executed the order by killing both **Haruna Jammeh** and **Jasaja Kujabi** and dumped their bodies in **Solo Bojang**'s well where he disposes bodies.
10. **Daba Marenah** and six (6) others (**Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr, Masi Jammeh** (the sister of the former President), and a lady called **Julia** were killed sometime in early 2006 by **Tumbul Tamba** and his Junglers on the orders of **Yahya Jammeh**. **Daba Marenah** and his three male colleagues were suspected of playing a role in the failed **Ndure Cham** coup plot. **Masi Jammeh** was killed because she pestered **Yahya Jammeh** for information regarding the disappearance of her brother, **Haruna Jammeh**. However, **Julia** is suspected to be one of the West African migrants (**Julia Maku**) who was not killed at the same time with the other male migrants in July 2005. After their unlawful killing, **Yahya Jammeh** caused a false press release to be released which attempted to mislead the Gambian people by suggesting that **Daba Marenah** and his male colleagues escaped after a car accident while being transported to Janjanbureh Prison. **Yahya Jammeh** rewarded **Tumbul Tamba** with a bag of money for the unlawful killing of **Daba Marenah** and his colleagues.

11. **Yahya Jammeh** ordered the Junglers to kill **Ceesay Bujiling**. **Yahya** believed that **Ceesay** was selected to the position of Chief wizard (“Buwa Mansa”) and he needed to eat a very high profile person to prove his mettle. **Yahya** was led into believing that **Ceesay** targeted him and he choose to strike first by getting the Junglers to kill **Ceesay Bujiling**.
12. **Ebou Jobe** and **Mamut Ceesay**-two Gambian Americans who visited the Gambia in 2013 were arrested by the Junglers on the instructions of **Yahya Jammeh** on the belief that they were in Gambia to overthrow his government. They were arrested in Brusubi and taken to Kanilai. **Jammeh** ordered they be killed and mutilated. The Junglers executed the order, killed the duo, decapitated them and buried their bodies in a single grave in **Yahya Jammeh's** farm in Kanilai. The Commission visited the identified sites and carried out excavations on the area but found no human remains. However, the Commission notes that there are mounts of soil in the area which suggests that the graves might have been tampered with.
13. **Tumani Jallow** was believed to be one of the soldiers who attacked the APRC headquarters in Kanifing and burnt the voters cards found there which were allegedly intended to be used by non-Gambians to bolster **Yahya Jammeh's** votes in the 2016 elections. **Abdoulie Gaye** on the other hand was believed to be an informant for **Pa Ndery Mbai** of the Freedom Newspaper. They were apprehended by the Junglers at different places on the orders of **Yahya Jammeh** and unlawfully killed. Their suspected graves are in Santaba.
14. On October 28, 2011, **Baba Jobe** was sleeping in his hospital bed at the EFSTH in Banjul. He had already served his term of imprisonment and was poised to be released. He was in jail for several years as a result of disputes between him and **Yahya Jammeh** which led to him being prosecuted and convicted for economic crimes. **Jammeh** did not want **Baba Jobe** to leave prison so he ordered the Junglers to unlawfully kill him. The Junglers strangled him to death on his hospital bed making it appear as if he died in his sleep as a result of his illness.
15. Former CDS **Ndure Cham** was apprehended after a few years on the run for being accused of carrying out a failed coup attempt against the government of **Yahya Jammeh**. He was set up by a former close aide who led the Junglers to his hide out in Farafenni. **Yahya Jammeh** ordered the Junglers to unlawfully kill him. The Junglers placed a plastic bag over his head and strangled him to death.
16. **Ello Jallow** was suspected of having an affair with the First Lady-Zeinab Jammeh. After a trip from the United States **Yahya Jammeh** ordered that he be killed. He was lured by a Jungler, **Bora Colley** to come and meet him. When he went, he was apprehended by the Junglers and killed. He was later placed in his vehicle which was pushed over the bridge in Old Cape Road around Bakau making it look like he drove over the bridge in an accident.
17. **Yahya Jammeh** was used to concealing his crimes by sometimes disguising them to look like accidents. On the instructions of **Yahya Jammeh**, **Mustapha Colley**, a former soldier was killed by the Junglers and placed in his taxi to make it look like he died a natural death in his car. **Yahya Jammeh** specifically instructed the Junglers to stage his death like they did with **Ello Jallow** and they drove his car from Kololi to Sukuta Jabang road and placed him in the driver's seat.
18. **Sulayman Ndow** and **Mahawa Cham** were planning to overthrow **Yahya Jammeh's** government. **Jammeh** got wind of it and used former Gambian mercenaries in Liberia (**Swandi Camara** and **Lau Jarjue**) who worked for him as government agents to work with **Ndow** and **Cham** under cover. They lured **Ndow** and **Cham** into Cassamance where with the assistance of a Senegalese military intelligence officer they were arrested by the Junglers, brought back into the Gambia and unlawfully killed and buried in **Jammeh's** farm in Kanilai.
19. **Mariama Camara** and **Alpha Jallow** were killed at Hamza Barracks. There were speculations as to why they were killed. Some people suggested that they committed suicide. While others said that they were killed by the Junglers on the orders of **Yahya Jammeh** as **Jammeh** wanted to hide that he had an illicit relationship with **Mariama** and impregnated her. The Commission has no conclusive evidence on these two killings.
20. Over sixty seven (67) West African migrants arrived on the shores of the Gambia on July 22, 2005 to meet their Gambian agent **Lamin Tunkara** to join a boat to travel to Spain. They were apprehended by Gambian security officers in Barra and later sent to Banjul. In Banjul senior security officers received them at the Marine Unit where some started calling them mercenaries and **Kawsu Camara (Bombardier)** assaulted some of them while. They were subsequently taken to different places in the Kombos (Kairaba Station, Bundung Station, **Baba Jobe's** house and the PIU) where they were detained. On the orders of **Yahya Jammeh**, they were taken in batches and unlawfully killed at different locations in the Gambia and in Cassmance/Gambia border. **Yahya Jammeh** then ordered a massive campaign to destroy and fabricate evidence contained in police diaries. **Yahya Jammeh** managed to deceive the UN/ECOWAS Investigation Team that was sent to the Gambia to investigate the matter.
21. **Yahya Jammeh** ordered nine (9) death -row inmates who were convicted of capital crimes to be executed. It is speculated that these executions were some forms of human sacrifice by **Jammeh**. However, the legal processes for the lawful execution of the nine (9) persons were not completed or carried out in accordance with the lawfully established procedures. This unlawfulness rendered the executions unlawful. **Yahya Jammeh** and the Minister of Justice **Lamin Jobarteh (Babadinding)** did not pay due regard to the established laws and procedures in order to ensure that the executions were carried out in accordance with the law.
22. **Yahya Jammeh** deliberately chose torture as a means to punish his opponents or to extract confessional or incriminating evidence against them which he would use in court to secure their convictions and imprisonment. He used the Junglers to carry out the tortures. The Junglers would often wear face masks when carrying out these tortures. The evidence before the Commission indicates that people arrested in connection with the 2006 **Ndure Cham** coup, the 2009 alledged **Lang Tombong Tamba** coup, the alledged **Lalo Jaiteh** coup and the **Freedom Online Newspaper** saga were all subjected to torture by the Junglers at the NIA premises. These tortures were intended to punish the suspected coupists and also to improperly obtain incriminatory evidence to secure their conviction either in civilian courts or court martial.

Based on the overall evidence, the Commission finds Yahya Jammeh, the following Junglers and other persons individually culpable for crimes of murder, torture and other serious human rights violations listed below:

1. Unlawful killing of **Almamo Manneh**, January 2000-by **Yahya Jammeh, Ousman Sonko, Musa Jammeh, Buba Jammeh, Ismaila Jammeh, Seedy Baldeh and Omar Sonko.**
2. Unlawful killing of **Momodou Dumbuya**, January 2000-by **Yahya Jammeh** and the physical perpetrators of the killing.
3. Unlawful Killing of **Dawda Nyassi**- by **Yahya Jammeh, Malick Jatta, Alieu Jeng, Tumbul Tamba and Sanna Manjang.**
4. Unlawful Killing of **Ndongo Mboob** – by **Yahya Jammeh Malick Jatta, Tumbul Tamba, Solo Bojang, Sanna Manjang and Alieu Jeng**
5. Attempted murder of Lawyer **Ousman Sillah**- by **Yahya Jammeh, Ousman Sonko, Tumbul Tamba, Sulayman Badjie, and Bai Lowe.**
6. Unlawful killing of **Dedya Hydara**- by **Yahya Jammeh, Tumbul Tamba, Alieu Jeng, Sanna Manjang, Malick Jatta, Malafi Corr, Kawsu Camara (Bombardier) and Bai Lowe.**
7. Unlawful killing of **Haruna Jammeh** -by **Yahya Jammeh, Tumbal Tamba, Solo Bojang, Sanna Manjang, Omar Jallow (Oya) and Alieu Jeng.**
8. Unlawful Killing of **Jasaja Kujabie** by **Yahya Jammeh, Tumbal Tamba, Solo Bojang, Sanna Manjang, Omar Jallow (Oya) and Alieu Jeng.**
9. Unlawful killing of **Daba Marenah** and six (6) others – **Yahya Jammeh, Tumbul Tamba, Solo Bojang, Malick Jatta, Sainey Jammeh, Yusupha Sanneh, Bora Colley, Micheal Correa, Nfunsu Nyabally. Mustapha Sanneh and Alieu Jeng and the concealment of the murders by Yahya Jammeh, Ousman Sonko, Harry Sambou and Tumbul Tamba.**
10. Unlawful killing of **Mamut Ceesay and Ebou Jobe** by **Yahya Jammeh, Major Nuha Badjie, Captain Momodou Jarjue (Rambo) lieutenant Mustapha Sanneh, Lieutenant Michael Jatta, WO2 Pa Sanneh, Staff Sergeant Malick Manga Sergeant Amadou Badjie, Sergeant Sulayman Sambou, Corporal Saikouba Jarjue and Staff Sergeant Omar Jallow and Micheal Correa**
11. The unlawful killing of **Tumani Jallow and Abdoulie Gaye** - **Yahya Jammeh, Lieutenant Colonel Nuha Badjie, Major Momodou Jarjue (Rambo), Captain Mustapha Sanneh, Captain Michael Jatta, Warrant Officer Fansu Nyabally, Warrant Officer Class 2 Malick Manga, Staff Sergeant Sulayman Sambou, Sergeant Omar Jallow (Oya), Sergeant Amadou Badjie, and Corporal Saikouba Jarjue.**
12. Unlawful Killing of **Baba Jobe**- **Yahya Jammeh, Omar Jallow (Oya), Pa Sanneh, Mustapha Sanneh, Michael Jatta, Fansu Nyabally, Malick Manga, Sulayman Sambou, Captain Momodou Jarjue(Rambo) and Nuha Badjie.**

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13. Unlawful killing of **Ndure Cham** by **Yahya Jammeh, Lt. Col. Nuha Badjie, Capt. Momodou Jarjue (Rambo,) Omar Jallow (Oya), Malick Manga and Sulayman Sambou. Saikouba Jarjue and Sheikh Omar Jeng.**
14. Unlawful killing of **Ello Jallow - Yahya Jammeh** ordered that he be killed. He was lured by the Junglers-Bora Colley-to come and meet him where he was apprehended and killed.
15. Unlawful killing of **Mustapha Colley** by **Yahya Jammeh, Nuha Badjie, Mustapha Sanneh, Momodou Jarjue (Rambo), Nfansu Nyabally, Mustapha Sanneh and Omar Jallow (Oya) and Sulayman Sambou.**
16. Unlawful killing of **Saul Ndow and Mahawa Cham** by **Yahya Jammeh, Nuha Badjie, Momodou Jarjue (Rambo), Lieutenant Mustapha Sanneh, Lieutenant Michael Correa, Lieutenant Michael Jatta, WO2, Nfansu Nyabally, Staff Sergeant Malick Manga, Omar Jallow (Oya), Sulayman Sambou, Lau Jarjue and Swandi Camara.**
17. Unlawful killing of **Mariama Camara and Alpha Jallow**- sanctioned by **Yahya Jammeh.**
18. Unlawful Killing about fifty (50) of the West African Migrants and their Gambian Counterpart - **Yahya Jammeh, Kawsu Camara (Bombardier), Bai Lowe, Musa Badjie, Tumbul Tamba, Sanna Manjang, Solo Bojang, Malick Jatta , Alieu Jeng, Omar Jallow (Oya), Lamin Sillah and Buba Jallow.**
19. Unlawful execution of the nine (9) death-row inmates- **Yahya Jammeh, Saul Badjie, Lamin Jobarteh (Babadinding) and Ousman Sonko.**
20. The evidence reveals that **Solo Bojang** is one person who knows the burial sites of most of the disappeared victims.

RECOMMENDATIONS

THE COMMISSION RECOMMENDS AS FOLLOWS:

1. Prosecute **Yahya Jammeh** for the crimes referred to in this report and impose a life-ban on him from holding public office.
2. Prosecution of all the Junglers and other persons listed for their complicity in crimes referred to in this report subject to the grant of amnesty that the Amnesty Committee may recommend.
3. Introduce a mandatory course for all soldiers on Human rights and on the role of the military in a democratic society.
4. Put in place a mechanism to identify the burial sites of victims, exhume their remains and conduct their proper identification with a view to handing them over to their families for proper burial.
5. Conduct further investigations into the killings of **Mariama Camara** and **Alpha Jallow** with a view to prosecuting those found responsible.
6. Locate **Solo Bojang** and secure his cooperation in identifying the burial sites.

