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 systemically 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 Forces, consisting of the Navy, Air Force and such other services established by statute. 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. 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. 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.

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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 Masu Jammeh.
   (c) Business and close associates who fell out of favour with Yahya Jammeh, such as Baba Jobe, Ceesay Bajading, Tambul 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) Ismailia 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.

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6 Professor Saine’s report page 47 para 128

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B. HISTORY OF THE JUNGLERS/PATROL TEAM

11. Francisco Caso was an Italian mafia who came to The Gambia as a tourist. He conducted the maiden training programme for a small group of soldiers from the Gambian National Army.7 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.8 He was brought to the President and recommended by Abdoulie Kujabi, NIA Director General at the time.9

12. The specialised training became known as the “Jungler training” which entailed counter-terrorism and VIP security.10 During the training, live ammunition was used and the soldiers were equipped with skills to kill.11 The criteria for selection of soldiers to the Jungler training largely depended on presupposed and perceived loyalty to President Jammeh.12 About fifteen (15) soldiers participated in the first training course.13 According to Ismaila Jammeh, the training with Francisco Caso took place in 1999.14 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 2000.15

13. The first group of soldiers that participated in this training were Fatmara Camara, Alieu Bojang, Lamin Senghore (Assassin), Bubacarr Bojang, Momodou Lamin Tamba, Paul Bojang, Ousman Sanneh, Fatmara Sanneh (Zircon), Wally Nyang and Ismaila Jammeh.16 In 2002, the State Guards battalion in collaboration with the Libyan military conducted a Commando Training exercise for personnel of the Gambian National Army. Some soldiers that participated in the commando course were Momodou Sanneh, Captain Modou Jallow, Jola Morro,17 Mawud Colley, Sherif Gissie, Sheik Omar Jeng, Biran Negett, Jerreh Sissayo, Alagie Chorr, Alieu Ceesay,18 Malick Jatta,19 Captain Mustapha Faal, Sanna Manjang20 and Pharing Sanyang21 and Saihou Jallow.22

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 (Soolo), Sutukung Barry, Yusupha Sanneh, Alieu Jammeh, Momodou Lamin Badjie, Nfansu Nyabally and Alieu Jeng.23

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7 Testimony of Omar Jallow 23rd August 2019 line 254
8 Testimony of Omar Jallow 23rdAugust 2019 line 107-110
9 Testimony of Omar Jallow 22nd August 2019 lines 239-243
10 Testimony of Ismaila Jammeh 5th August 2019 line 622-624
11 Testimony of Omar Jallow 23rd August 2019 line 119-123
12 Testimony of Omar Jallow 23rd August 2019 line 119-120
13 Testimony of Ismaila Jammeh 5th August 2019 line 1135-1141
14 Testimony of Ismaila Jammeh 5th August 2019 line 628
15 Testimony of Ismaila Jammeh 5th August 2019 line 586-747
16 Testimony of Omar Jallow 23rd August 2019 line 289-302
17 Testimony of Ismaila 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 Saihou Jallow 27-28th of May 2021.
24 Testimony of Alieu Jeng 8th August 2019 line 126-130
15. In 2004, Ismaïla Jammeh was tasked with the responsibility of recruiting and recommending soldiers for the second Jungler training. 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, Umpha Mendy, Muhammad Sambou, Barra Mboob, Ebrima Njie, Buba Darboe and the late Solomon Jammeh.25

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, Abilic 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.30

19. In 2012, Lamin Badjie, Lamin Busso and Lamin Sambou, Police Intervention Unit (PIU) officers, the paramilitary wing of the Gambian Police Force, were transferred to the patrol team31 by the Interior Minister, Mr. Ousman Sonko.32 Their initial assignment was to serve as spies whenever the President’s convoy was travelling and report any suspicious activities and conversations.33

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.34

21. Others were stationed at the State House as Close Protection Officers of the President.35 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. While 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.36

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 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.37

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 JUNGLERS

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 Aliyu 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 Aliyu Jeng, WO2 Modou Busso, Staff Sergeant Pa Sanneh, Staff Sergeant Abdoulie Jallow, Staff Sergeant Malick Manga, Sergeant Omar Jallow (Oya), Amadou Badjie, Sulayman Sambou and Lamin

28. The Junglers - Unlawful Killings, Tortures and other Human Rights Violations

Badjie were all members of that group. According to Pa Ousman, when he joined the team, Michael Jatta was the Operations Commander of the group. 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.

Yayah 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. Yayah Jammeh would occasionally communicate directly with the teams, overseeing their activities while they were on operations.

Yayah 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 record their activities made in pursuance to or in obedience of the orders. Sometimes they would put their phones on speaker or do a video recording so that Yayah Jammeh would hear or see what was going on.

Yayah Jammeh would occasionally give rewards to the Junglers for implementing his orders. Often this would be in the form of cash, barbecue feasts or promotions.

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. It was understood that they would be called when required to carry out Yayah Jammeh’s assignments. They were able to get this privilege because they were a special group at the beck and call of Yayah Jammeh alone.

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. 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 Yayah Jammeh, the Commander-in-Chief.

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.

Yayah 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 Yayah Jammeh meted out on members of the Junglers who fell foul of his wishes.

D. MANDATE OF THE GROUP

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.

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.”

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. 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.

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.

Testimony of Amadou Badjie 6th August 2019 line 312-366
Testimony of Pa Ousman 6th August 2019 line 124-125
Testimony of Amadou Badjie 6th August 2019 line 378-380
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 addressing in such a manner.
Testimony of Saikou Jallow 27 May 2021 line 1450-1470
Testimony of Yaya Darboe 18th November 2021  732-742
Testimony of Saikou Jallow 27 May 2021 1367-1371
Testimony of Malick Jatta 22 July 2019, lines 980 to 987, see also Testimony of Saikou Jallow
Testimony of Baboucarr Jatta, 3rd October 2019, lines 1909 to 1985, page 85 to 88
Testimony of Malick Jatta 23 July 2019, lines 1470-1490
Testimony of Malick Jatta 22 July 2019 225- 239
Testimony of Amadou Badjie 6th August 2019 line 190-183
Testimony of Malick Jatta 22 July 2019 line 580-582
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”. 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.

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 commanders 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 L.T. 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, Abdouli 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 Abdouli Kujabi, Musa Jammeh and himself were all relatives of Yahya Jammeh. After listening to the recording, they decided to apprehend the alleged coup planners.

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 Oumar Sonko.

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.

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.

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. 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 though 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 killed 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
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 Yumdum 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.

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 Alieu 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 Bafutolo. 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, Alieu Jeng stated that he did not carry any weapon75 and the others had no weapons either.76 When they arrived at Bafutolo, 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 Alieu Jeng 8th August line 497-593
71 Testimony of Malick Jatta 22 July 2019-line 539-557 page 25-26 / Testimony of Alieu 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 572-578 page 27
75 Testimony of Alieu Jeng 8th August2019, line 514-515
76 Testimony of Alieu Jeng 8th August 2019 line 588-592
77 Testimony of Alieu Jeng 8th August 2019 line 581-614
78 Testimony of Alieu Jeng 8th August line 599-584
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 from 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 Gambian highway through the villages of Mandinaba, Bulock, Sibaran 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 turned back, and entered the vehicle. They went into the bush for some time then he heard a shot and someone was being taken into the bush and he recognized that at that point, he did not know that there was handing over and taking over of a civilian.

65. Alieu Jeng denied knowledge about the killing of Ndongo Mboob stating that he had never met Ndongo Mboob82 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

1. 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 fell 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 full him down, and we fell him down. He asked us to pull the rope, we pulled. Then he was just sitting on top of the car; he jumped from that
place and stamped on the neck of Haruna and he died.” He admitted that the three of them killed Haruna 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.95

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.96

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.97 The perpetrators of the unlawful killing of Jasaja Kujabie are Yahya Jammeh, Tumbul Tamba, Solo Bojang, Sanna Manjang, and Alieu Jeng.98

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.99

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, Fausu 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.99

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).96 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

89 Testimony of Omar Oya Jallow, 23rd August 2019 line 689-715
90 Testimony of Alieu Jeng 8th August 2019 line 2257-2375
91 Testimony of Alieu Jeng 9th August 2019 line 239-259
92 Testimony of Jong 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
96 Testimony of Saikou Jallow 27th May 2021 line 1018-1048
97 Testimony of Malick Jatta 23rd July 2019 lines 185-228
98 Testimony of Omar Oya Jallow 23rd July 2019 page 16 lines 417-422
99 Testimony of Omar Oya Jallow 23rd July 2019 page 36 lines 435-488
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.

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

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. 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.”

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, 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. This was confirmed by **Alieu Jeng** who testified that when they escorted the victims into the forest, they sat them down on the ground. He corroborated **Omar Jallow (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.

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. 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.

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. 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.

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**.

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. 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 SILLAH**

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

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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 2019 line 424-428
104. Testimony of Omar Jallow 19th August 2019 line 45-104
105. Testimony of Malick Jatta 23rd July 2019 -page 11-16 line 223-321
106. Testimony of Malick Jatta 23rd July 2019 lines 398-409
107. Testimony of Malick Jatta 23rd July 2019 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 Alieu Jeng 23rd July 2019 lines 359-359
112. Testimony of Malick Jatta 23rd July 2019 lines 351-357
114. Testimony of Malick Jatta 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. 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.  

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 Army. 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.  

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.  

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 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.  

98. Malick Jatta, Aliu Jeng and Sanna Manjang boarded Tumbul Tamba’s vehicle and they headed to the Kombois. When they arrived at Kanifing, they drove into a garage, parked the vehicle and boarded a taxi Benz 200. Tumbul was the driver, Sanna Manjang sat on his right, Aliu Jeng and Malick sat in the back seat. According to Malick Jatta, the said garage belonged to Yaya Jammeh.  

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. This would link Jammeh directly with the murder of Hydara. Aliu Jeng also confirmed that Tumbul was indeed communicating with someone on the phone, but he could not recall what was said.  

100. Malick Jatta testified that the group of Kausu 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. The groups were communicating with each other and sharing information with Tumbul.  

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.

102. Aliu 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.” Malick Jatta confirmed that he, Aliu Jeng and Sanna Manjang shot at the vehicle and Tumbul gave the order to shoot the target.  

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 / Mambo Media LTD (mamots.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
122 Testimony of Malick Jatta 22 July 2019 line 755-756 page 34-44.
123 Testimony of Malick Jatta 22July 201972-777 page 35 / Testimony of Aliu Jeng 1509
124 709-793 page 36 / 1404-1417 Testimony of Aliu Jeng
125 Testimony of Malick Jatta 22July 2019 line 798-799 page 36 / Testimony of Aliu 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 Aliu Jeng 8th August 2019 line 527-531
129 Testimony of Malick Jatta 22July 2019, line 839-863 page 39
130 Testimony of Malick Jatta 22nd July 201981-883
131 Testimony of Malick Jatta 22nd July 2019, line 900-933
132 Testimony of Aliu 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.\textsuperscript{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.\textsuperscript{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 hoping.\textsuperscript{136} Malick Jatta would not tell the truth.\textsuperscript{137} After apologising to the Commission for lying under oath, he finally admitted that he did shoot at Deyda Hydara’s vehicle.\textsuperscript{138}

105. After the execution of Deyda Hydara, they drove to the same garage, boarded Tumbul’s vehicle and drove back to Kanilai.\textsuperscript{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.\textsuperscript{140} Contrary to Malick Jatta’s confession on the subject, Alieu Jeng stated that he did not receive any money after the operation.\textsuperscript{141} The testimony of Alieu Jeng in this regard cannot be believed. Malick Jatta further testified that Yahya Jammeh must have ordered the killing.\textsuperscript{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.\textsuperscript{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 MARENAH 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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{146} Jammeh was furious. Upon arrival in Banjul that day, Jammeh ordered the arrest of Daba Marenah and anyone connected to that coup. Many military officers were arrested.\textsuperscript{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.\textsuperscript{148} Between midnight and 1:00 A.M, they boarded their vehicles and drove to the Mile II State Central Prisons.\textsuperscript{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 2019 line 928-955page 42-43 / Testimony of Alieu Jeng 8th August line 2027-2029
140 Testimony of Malick Jatta 22July 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
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 Ismaila Jammeh 5th August 2019 line 3617 - 3636
149 Testimony of Ismaila 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 Jamneh, 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. Ismaila Jamneh 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 Ismaila Jamneh, 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. Ismaila Jamneh 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. He stated that they were joined by Solo Bojang and his team along the way who led them through Foni.158

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 Jamneh and Alieu Jeng.159

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 Jamneh (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 Nyabally 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 “Allahumdulilah Rubil 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, it 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 saw thick shrub not a thick bush, a light bush. So, they were seated down, Sainey Jamneh 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 Jamneh did kill Julia but he (Sainey Jamneh) 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 Jamneh 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
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 he 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. 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. He said that he pretended to cooperate with them so that they would not think he was against what they were doing. 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. He stated the others came back without the prisoners and boarded the vehicle, and that he did not hear any gunshots. Under cross examination, he admitted that no Jungler was issued a silenced. 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.

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. 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 Leonian 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, Mas 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 Jangjanbureh. 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.

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
device and a cassette. Tumbul Tambra went into a room with Yahya Jamneh where they presumably reviewed the tape. Yahya Jamneh thanked him and gave Tumbul a big bag of money. After that Yahya Jamneh, Harry Sambou, Ousman Sonko and Tumbul Tambra 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 Jamneh 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 Tambra173.

135. From the above, it is clear that Daba Marenah and his four colleagues (Manlafi Corr, Alieu Ceessay, 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 Jamneh 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 Jamneh, Tumbul Tambra, Solo Bojang, Malick Jatta, Sainey Jamneh, Yusupha Sanneh, Bora Colley, Michael Correa Nfansu Nyabally, Mustapha Sanneh, Ismaila Jamneh and Aliou Jeng. The participants in the concealment of the crime include Yahya Jamneh, Ousman Sonko, Harry Sambou, and Tumbul Tambra.

**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’etat against Yahya Jammeh when he travelled to Mauritania. The planned coup d’etat was leaked and Lang Tombong Tambra 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 Jamneh 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 Jamneh 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 Jamneh, Musa Jamneh and two other President’s bodyguards, Buba Jamneh and David Njie at his home and detained at the NIA.177

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 Microwave Sanneh, 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 Jamneh 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 Fonit 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 Jamneh, Lt. Col. Nuha Badjie, Captain Momodou Jarjue aka Rambo, Omar Jallow (Oya), Malick Manga, Saikouba Jarjue and Sulayman Sambou.

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172 Testimony of Saiku Jallow 27th May, 2021 line 1367-1378
173 Testimony of Saiku Jallow 27th May 1565-1568
174 Testimony of Lang Tombong Tambra
175 Testimony of Ismaila Jammeh 5th August 2019 line 2250-2295
176 Testimony of Ismaila Jammeh 5th August 2019 line 2237-2240
177 Testimony of Ismaila Jammeh 5th August 2019 line 2305-2384
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 Bujuling 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 Bujuling. He ordered the Junglers to execute Ceesay Bujuling.184 Ebo J)bajue, a former Steward of Yahya Jammeh confirmed that Ceesay Bujuling was killed on suspicion of practicing witchcraft.185

P. UNLAWFUL KILLINGS OF MAMUT CEESEAY 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 Sulyayman Sambou, Michael Correa and Corporal Saikouba Jarjue187.

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
188 Testimony of Omar Oya Jallow 24th of July 2019 line 307-312 / Testimony of Pa Ousman Sanneh 7th August 2019 line 663-665
189 Testimony of Omar Oya Jallow 24th of July 2019 line 307-311
190 Testimony of Pa Ousman Sanneh 7th August 2019
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 Ghadafari. 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. 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.

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.

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.

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. IWhen 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.

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. 211 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. 212

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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
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.

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

**UNLAWFUL KILLING OF ELLO JALLOW**

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.215 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.

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

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.

**UNLAWFUL KILLING OF MUSTAPHA COLLEY**

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, Malik 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 Colley216.

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

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 Yahya 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), fansu Nyabally, Mustapha Sanneh and Omar Jallow (Oya) and Sulayman Sambou.

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

**UNLAWFUL KILLING OF SAUL NDOW AND MAHAWA CHAM**

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 evidence against them.216, 217, 218, 219, 220

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214 Statement of Patch Jallow, dated 25 July 2019, page 4
215 Testimony of Omar Oya Jallow 24th of July 2019 line 719-728
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 Cham staged an operation for an ammunition deal in Casamance. Not suspecting that the people they were dealing with were the Junglers, Saul Ndow and Mahawa Cham went to finalise this deal in Casamance. They went together with Lau Jarjue and Swandi Cham 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 Sambour.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 Sambour 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, 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 Dalasis (D5, 000) for three (3) months and the extra Two Thousand Dalasis (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 Sambour, 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 were 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 ingremated 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

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 “belle wolle 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

189. 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 Sambour, Lau Jarjue and Swandi Camara.

V. UNLAWFUL EXECUTION OF MILE 2 INMATES

221 Testimony of Omar Oya Jallow 24th of July 2019 line 1810-1820
222 Testimony of Omar Oya Jallow 24th of July 2019 line 1824-1833
223 Testimony of Omar Oya Jallow 24th of July 2019 line 1839-1855
224 Testimony of Omar Oya Jallow 24th of July 2019 line 1873-1892
225 Testimony of Omar Oya Jallow 24th of July 2019 line 908-924
226 Testimony of Omar Oya Jallow 24th of July 2019 line 926-936
227 Testimony of Omar Oya Jallow 24th of July 2019 line 944-945
228 Testimony of Omar Oya Jallow 24th of July 2019 line 1268-1319

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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 whomsoever he pleases and he could not dare to advise him otherwise. He denied playing any role in the executions. 230

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 gave 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 Jarju “Rambo”, Lieutenant Mustapha Sanneh, Lieutenant Michael Jatta, WO2 Nfansu Nyabally, WO2 Pa Sanneh, Staff Sergeant Malik Manga, Staff Sergeant Omar Jallow (Oya), Staff Sergeant Amadou Badjie, Staff Sergeant Sanae Suamou, Corporal SaikouJarue, WO2 Modou Bousoo, 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 made another stop at the Hamza Barracks to pick up 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 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 (Babadjinba), 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 Yankubu 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

229 Testimony of Lamin Jobarteh 11th February 2021 line 763-840
230 Testimony of Lamin Mumah 11th February 2021 line 1018-1173
231 Testimony of Omar Oya Jallow 24th of July 2019 line 66-82
232 Testimony of Lamin Sambou 7th August 2019 line 463-472
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 of July 2019 line 166-173
237 Testimony of Omar Oya Jallow 24th of July 2019 line 129-136
238 How Jammeh Executes Mile 2 Inmates, - Trumpet Newspaper article of April 2019, Available at: https://trumpet革新n/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
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

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.

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 Omar Jallow (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

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

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

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, Baba 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.

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

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

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

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.

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 Lamin 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 Lamin Sambou 7th August line 847-851
246 Testimony of Omar Oya Jallow 24th of July 2019 line 196-228
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 line 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 1045-1055/
253 Testimony of Lamin 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 196, 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. 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. 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.

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. In the exercise of the prerogative of mercy, the President can also pardon a person condemned to death by the courts.

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 advice the President on the issue. The President then makes an order and sends it back to the Judge to be reflected in the records. 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. 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. Mr. 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.

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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
260 See section 253 (1), (2), (3) and (4) of the CPC
261 Testimony of Lamin A.M.S Jobarteh, 11th February, 2021. “Joharah was reportedly present when the prisoners were drugged 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 Gambian “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 GRTS, 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
Jamneh’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 Jamneh, 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
ABDOULIE GAYE

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

220. In the case of Abdoulie Gaye, Yahya Jamneh 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 Jamneh 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 Jamneh 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),

262 Testimony of Omar Oya Jallow 24th of July 2019 line 1209-1211
X. TORTURES BY THE JUNGLERS

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 persecutary 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 Sannah, Saikouba Jarjue, Sulayman Sambou, Malick Manga, Nfansu Nyabally, Mustapha Sannah, Michael Jatta, Captain Modu Jarjue aka Rambo and Nuha Badjie.

2. TORTURE OF BA KAWSU FOFANA

233. Imam Ba Kawsu 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.

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 Kawsu. According to Omar Jallow, Ba Kawsu 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, Nafly Jabang, Tumbul Tambra, Musa Jammeh, (Maliamungu) – all three are now deceased. Lang Tombong Tambra 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 Sannah, Alieu Jatta, Michael Jatta, Alieu Jeng and Nfansu Nyabally, Ismaila Jammeh, Tumbul Tambra and Manfuli 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 Jammekh (Maliamungu) ordered him and his team to beat General Savage. The people in his team were Ismaila Jammeh, Sanna Manjang, Michael Jatta, Mustapha Sannah, Alieu Jeng, Nfansu Nyabally and Tumbul Tambra, 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 Jammekh ordered them to beat Pharrign Sanyang. Those who participated in this torture were Ismaila Jammeh, Sanna Manjang, Michael Jatta, Mustapha Sannah,
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 paricipated in some tortures with **Sanna Manjang**, **Alieu Jatta**, **Michael Jatta**, **Aliu Jing 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 torture including the torture of **General Savage**, contradicting his earlier statement that **General Savage** was not tortured.

239. **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 **Aliu Jing**. 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 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. **Aliu Jing** 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. **Aliu Jing** 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. **Aliu Jing** 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 **Aliu Jing**’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

### Y. 30TH DECEMBER 2014 INCIDENT

241. **Pa Ousman Sanneh** testified that he saw dead bodies, including those of **Lamin Sanneh, Jarja Nyass and Ngaja 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, Lt Col Nuha Badjie, **Major Momodou Jarjue (Rambo)**, **Captain Mustapha Sanneh**, **Captain Michael Jatta**, **Captain Michael Correa**, W01 **Nfansu Nyabally**, W02 **Malick Manga**, Staff Sergeant **Sulayman Sambou** and Sergeant **Omar Jallow (Oyo)**.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), **Ismaila Jammeh and Lamin Cham**.

243. **Ismaila Jammeh** 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.
Z. CRIMINAL RESPONSIBILITY OF THE JUNGLERS

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 JAMMEN FOR THE CRIMES OF THE JUNGLERS

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.

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. 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.” 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. Even in the execution of the deathrow inmates and the killing of the West African migrants, Yahya Jammeh issued the operational orders for these executions to take place.

Yahya Jammeh also rewarded members of the 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. The said sum amounted to Fifty Thousand Dalasi ($D50,000). 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. This was corroborated by Lamin Badjie. Omar Jallow (Oya) testified that the Senegalese spy that 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 ($234,000). Additionally, members of the group were paid an allowance of Five Thousand Dalasi ($D5000) every three months or so by the former President. 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) 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. All these were done or allowed by Yahya Jammeh to win the continued loyalty and unswerving support of the Junglers.

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, Osman 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. Gleamed 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
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 Yahya 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 conscientiously 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.

314 Article 24 of The Rome Statute; Non-retroactivity ratione personae www.icc-cpi.int

315 Rome Statute – International Criminal Court www.icc-cpi.int
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 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 but 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 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.

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.326 His TRRC statement was put to him in which he suggested that he was briefed but he denied this in his testimony.327 He also stated that he picked up Oya and Malick Manga on his way, and that he found Nuha Badjie at Arch 22.328 He retracted this and said that he found Oya and others at Banjul Pharmacy.329 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
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 who 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 perceives 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 carry out killings and other human rights violations of his perceived enemies as well as other massive human rights violations discussed below.

5. **Dawda Nyasssi** 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.”* All four of them shot the victim to death.339

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, Ebuy 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 Manfa”) 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 Jarju) 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 Cassamance/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 confessionary 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 alleged Lang Tombong Tamba coup, the alleged 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:


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, Tumbul Tamba, Solo Bojang, Sanna Manjang, Omar Jallow (Oya) and Alieu Jeng.

8. **Unlawful Killing of Jasaja Kujabie** by Yahya Jammeh, Tumbul 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, Sainej Jammeh, Yusupha Sanneh, Bora Colley, Miecel Correa, Nfansu 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 Ehbo Jobe by Yahya Jammeh, Major Nuha Badjie, Captain Momodou Jarju (Rambo) lieutenant Mustapha Sanneh, Lieutenant Michael Jatta, WO2 Pa Sanneh, Staff Sergeant Malick Manga Sergeant Amadou Badjie, Sergeant Sulayman Sambou, Corporal Saikouba Jarju and Staff Sergeant Omar Jallow and Michael Correa**

11. **The unlawful killing of Tumani Jallow and Abdoulie Gaye** - Yahya Jammeh, Lieutenant Colonel Nuha Badjie, Major Momodou Jarju (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 Jarju.

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 Jarju(Rambo) and Nuha Badjie**

**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.