



Freedom of the Press 2016 - Gambia, The

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Press Freedom Status: Not Free

Legal Environment: 29 / 30 (↓2) (0 = best, 30 = worst)

Political Environment: 36 / 40 (↓2) (0 = best, 40 = worst)

Economic Environment: 22 / 30 (↓2) (0 = best, 30 = worst)

Press Freedom Score: 87 / 100 (↓6) (0 = best, 100 = worst)

Quick Facts

Population: 2,021,893

Net Freedom Status: Not Free

Freedom in the World Status: Not Free

Internet Penetration Rate: 17.1%

Overview

Gambian authorities stifle media freedom through a combination of criminal prosecutions, physical intimidation, censorship, and the promotion of government views in state-run or friendly private outlets. The government has ignored regional court decisions ordering it to end impunity for past crimes against journalists.

Key Developments

- The manager of one of the country's few remaining independent radio stations, Taranga FM, was detained in July 2015 and remained in custody at year's end.
- A UN report released in March found that state intimidation of journalists in the Gambia amounted to cruel, inhuman, or degrading treatment or even torture.

Legal Environment: 29 / 30 (↓2)

Article 25 of the constitution provides for freedoms of speech, expression, and the press, but the government does not respect these rights in practice. Defamation and sedition are criminal offenses. The Information and Communications Act was amended in 2013 to introduce a 15-year prison term and a fine of 3 million dalasi (\$70,000) for anyone convicted of using the internet to spread false news, make derogatory statements, incite dissatisfaction, or instigate violence against the government or public officials. The Criminal Code (Amendment) Act of 2013 has also been used to undermine freedom of expression. The Indemnity (Amendment) Act of 2001, which gives the president discretion to forgo prosecuting security forces, discourages victims of human rights violations, including journalists, from

seeking justice. There are broad restrictions on content that is considered contrary to the principles of Islam. In December 2015, President Yahya Jammeh unilaterally declared the country an Islamic republic.

Journalists are frequently arrested and detained, or threatened with arrest, on dubious criminal charges. Many are held without charge for longer than the 72 hours prescribed by the constitution. The courts provide little remedy to government abuses, as they lack independence from the executive branch; the administration dismissed or forced out three Supreme Court judges during 2015, including the chief justice.

In July 2015, Alagie Abdoulie Ceesay, manager of the independent radio station Taranga FM, was apprehended by suspected National Intelligence Agency (NIA) operatives and held incommunicado and without charge. In early August, Ceesay was charged with "seditious intention" and publishing false news for allegedly using his mobile phone to distribute images in which a gun was aimed at President Jammeh. Ceesay remained in detention at year's end.

There is no law guaranteeing access to public information. The 2004 Newspaper Amendment Act made the media registration process more onerous, and allowed Gambian authorities to impose significant monetary penalties on outlets that fail to meet registration requirements.

Political Environment: 36 / 40 (↓2)

Despite a 2005 press law that prohibits censorship and guarantees the right of citizens to obtain information, reporters from news outlets that are perceived to be critical of the government are routinely denied access to government sources and excluded from official events.

There have been several instances of overt censorship of media outlets. A 2012 ban on the *Daily News*, a privately owned newspaper, remained in place in 2015. Some papers and individual journalists that faced state pressure for their independent reporting in previous years have since moved closer to the government. Sheriff Bojang, the managing editor of the *Standard*, which was banned as recently as 2014, was appointed as minister of information and communication infrastructure in January 2015. Many journalists self-censor to avoid being harassed, fined, or arrested in connection with their work.

The government regularly blocks news and opposition websites, most of which are operated from abroad by exiled journalists and activists.

A March 2015 report by the UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment found that there was a "state practice of intimidation and serious threats (including death threats) to the physical integrity of journalists and human rights defenders that amounted to cruel, inhuman or degrading treatment or even torture." Other human rights reports found that Gambian journalists have been subject to torture by the Junglars, a government-backed paramilitary force.

Among other cases in 2015, women's rights activist and citizen journalist Minah Manneh was detained in March after disseminating a video recording that showed police brutality. She was apprehended by suspected National Intelligence Agency (NIA) members and was missing for two days. Manneh fled the country after her release. In May, editor Saikou Ceesay of the online newspaper *Gambia Affairs* received death threats for writing a Facebook post about presidential term limits.

According to the Media Foundation for West Africa (MWFA), the Gambia is the region's worst performer with respect to impunity for past crimes, such as the 2004 murder of journalist Deyda Hydara by suspected NIA agents. In 2014, an Economic Community of West African States (ECOWAS) court ruled that the Gambian government was in breach of the African Charter on Human and Peoples' Rights as well as the Revised Treaty of ECOWAS for failing to sufficiently investigate the murder; the court awarded Hydara's family \$50,000 in compensation and \$10,000 in legal costs. It also noted the government's failure to comply with previous rulings related to the cases of journalist "Chief" Ebrimah Manneh, who was arrested in 2006 by state security agents and has been missing since, and Musa Saidykhan, an exiled journalist who in 2006 was held by the government for three weeks and allegedly tortured. Many journalists remained in exile in 2015, including the president's former press secretary, Fatou Camara, who

fled the country in 2013 after being charged for "spreading false news and publication of false news with intent to tarnish the image of the president."

Economic Environment: 22 / 30 (↓2)

The government owns or controls a number of important media outlets. The *Daily Observer* newspaper is closely aligned with the ruling Alliance for Patriotic Reorientation and Construction (APRC), serving as its mouthpiece. The state-run Gambian Radio and Television Services (GRTS) operates the only national television station and an affiliated radio broadcaster. A growing collection of online outlets are suspected of ties to the government, having published personal attacks against its perceived domestic and international critics.

There are multiple private newspapers and radio stations. Foreign news content is available through local rebroadcasting, or through cable and satellite services for those who can afford them. Gambia's media landscape includes a substantial number of independent news sites and blogs, many of which are based overseas and operated by Gambian expatriates. About 17 percent of the population had access to the internet in 2015. There have been a series of internet service disruptions in recent years, including a week-long blackout in April 2015; the causes were a matter of dispute, with some observers suggesting that they were a new government censorship method.

Local outlets and advertisers are often reluctant to air or sponsor programming that could affect their standing with the government. In December 2015, the commercial radio station Capital FM dropped a political talk show sponsored by the National Youth Parliament shortly before it was to host a prominent leader from the opposition United Democratic Party, citing funding problems.

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