



## THE NATIONAL HUMAN RIGHTS COMMISSION, THE GAMBIA

RHL 36/63/01 (86)

2<sup>nd</sup> April 2026

### PRESS STATEMENT

#### THE NHRC STRONGLY CONDEMNS THE CONDUCT OF THE GAMBIA POLICE FORCE...

The National Human Rights Commission (NHRC) expresses its deep concern about the conduct of The Gambia Police Force in the recent re-arrest and detention of Ousainou Bojang and Amie Bojang by officers of The Gambia Police Force following their acquittal and discharge by Justice Ebrima Jaiteh of the High Court in a judgment delivered on 30th March 2026. The actions of the Police Officers did not only violate the fundamental human rights of Ousainou and Amie Bojang, guaranteed by the 1997 Constitution and international and regional human rights instruments The Gambia is a party to, but are also serious affront to the rule of law and due process which are fundamental pillars of a democratic State.

The actions of the police has raised serious legal and human rights questions, particularly regarding respect for judicial authority and the rule of law.

The NHRC reminds law enforcement agencies that they are integral part of the justice and criminal delivery system and are primarily duty bearers with the obligations to respect, protect and fulfil the human rights of rights holders with utmost respect for due process. The Courts, on the other hand, are the last bastion of the people against human rights violations. In that regard, law enforcement agencies are expected to act, and be seen to act, according to the rule of law and as a fundamental support to the Courts in the dispensation of justice. Any conduct that flouts or invalidates Court orders diminishes public trust and confidence in the justice system, directly contradicting the transitional justice slogan of 'Never Again' and subverting the democratic gains and human rights protections enshrined in the Constitution and international human rights instruments.

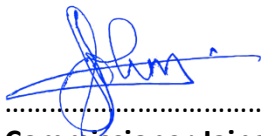
In addition, our investigation into this matter, including monitoring visits to the Mile II Central Prison and Banjul Police Headquarters, has revealed that Ousainou and Amie Bojang were committed to Mile II Central Prison without a warrant as stipulated by the Prisons Act and were accepted by the Prisons authorities in spite of clearly provided legal provisions which prohibit such practice. The Prisons authorities have an obligation to not only follow due process and

uphold the law but also ensure that all other authorities and persons abide by the laws and regulations governing the administration of the Prisons and regarding the fundamental human rights of inmates.

Furthermore, the Commission is deeply troubled by the indiscriminate use of tear gas and water cannon, which affected not only protesters but also innocent bystanders, including children and elderly residents.

As the NHRC continues to monitor the situation, it recommends that:

- The Police respect the bail granted to Ousainou and Amie Bojang and to act strictly according to law and due process in whatever action they may take regarding that bail.
- Prison Officers to never commit anyone without a warrant.
- The Executive, through the Inspector General of Police, to always give effect to the inviolability of judicial pronouncements and respect the separation of powers enshrined in the Constitution.
- Personnel of The Gambia Police Force respect and follow due process of the law and refrain from excessive use of force, and inhumane and degrading treatment during arrest and in crowd control
- The Executive and security forces not only refrain from but outrightly denounce any actions that undermine the independence and authority of the Judiciary.
- The State to reaffirm its commitment to human rights and the rule of law and ensure State agents always comply with the 1997 Constitution and international human rights law.
- The Office of the Inspector General of Police to thoroughly investigate the use of force by Police Officers on the protesters and ensure accountability.



.....  
**Commissioner Jainaba Johm**  
**Vice Chairperson**