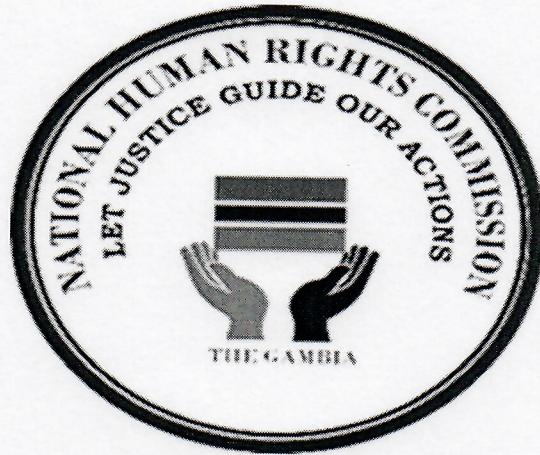


**REPORT OF THE INVESTIGATIVE PANEL ON THE ALLEGED HUMAN RIGHTS VIOLATIONS AGAINST ONE EBRIMA SANNEH BY GORGI MBOOB  
COMMANDER OF THE ANTI-CRIME UNIT**



August 2020



### Panellists

1. Mr Emmanuel Daniel Joof, Chairperson of the panel and Chairperson of the National Human Rights Commission (NHRC);
2. Mr. John C. Njie- Member, The Association of Non-Governmental Organizations in the Gambia (TANGO);
3. Mr. Bubacarr Sarr- Member- Gambia Police Force (GPF);
4. Mr. Sarjo Jatta- Member- Ministry of Interior (MOI); and
5. Mrs. Sasum Sillah- Member- Gambia Bar Association (GBA).

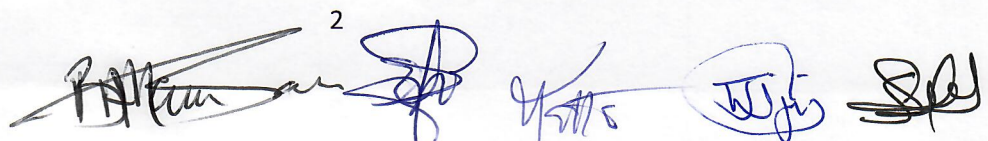
### Counsel and Investigating Officers

1. Mr Mansour Jobe- Director of Legal and Investigation (NHRC)
2. Mr Sainey Bah, Legal Officer (NHRC)
3. Mrs Aminata L.B Ceesay, Investigating Officer (NHRC)
4. Mr Babucarr Njie, Investigating Officer (NHRC)
5. Mr. Modou Sowe, Investigating Officer (NHRC)
6. Mr. Sidy Saidykhan, Investigating Officer (NHRC)

### List of witnesses

1. Ebrima Sanneh
2. Lamin Sonko
3. Alieu Bojang
4. Musa Suso
5. Adama Ceesay
6. Nyima Barrow
7. Sanna Singhateh (ST)
8. Superintendent Demba Sowe
9. Sainey Manneh
10. RSM Musa Corr
11. ASP Sita Sarr

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- 12. Superintendent Momodou Sowe
- 13. Chief Inspector Ismaila K. Bojang
- 14. Sergeant Kebba Jobe
- 15. W/SI Amie Gaye
- 16. Dr. Muhammed Jallow
- 17. Deputy Commissioner Gorgi Mboob

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## 1.0 Introduction and Terms of Reference of the Panel

1. On the 25<sup>th</sup> July 2020 disturbing news emerged that a young man, later identified as one Ebrima Sanneh, had been allegedly assaulted with a hoe on his genitals by Commissioner Gorgi Mboob, the head of the Anti-Crime Unit. The alleged assault occurred at the Anti-Crime Unit in Bijilo, where the victim had been arrested and detained in the early hours of the 24<sup>th</sup> July 2020, along with others at Ice Lounge formerly Duplex Night Club. Following the incident, public outrage surrounding the allegations spurred the formation of a joint investigative panel to, *inter alia*, determine the circumstances surrounding the arrest and detention of Ebrima Sanneh, determine whether he was assaulted, maltreated, tortured, or subjected to other human rights violations as well as determine the role if any played by Gorgi Mboob and any other officer (s) of the Anti- Crime Unit in the alleged rights violations.
2. On the 26<sup>th</sup> July 2020, the National Human Rights Commission (NHRC) issued a press release condemning alleged acts of police brutality and urging the Gambia Police Force to ensure that its conduct at all times, is legal, necessary, and proportionate. The NHRC also undertook to conduct a thorough investigation into the matter, with a view to issue appropriate recommendations to the relevant Government ministries. Pursuant to this press release and the mandate of the NHRC, the Commission chaired this panel to investigate the allegations. The proceedings of the panel were held at the NHRC headquarters between the 17<sup>th</sup> -25<sup>th</sup> August 2020.
3. The Investigative Panel is comprised of the NHRC, the Gambia Police Force (GPF), the Ministry of Interior, The Association of Non-Governmental Organizations in the Gambia (TANGO) and The Gambia Bar Association.
4. In the exercise of its mandate, the panel received testimony from seventeen (17) witnesses including Ebrima Sanneh, other detainees and police officers who had knowledge of the arrest and detention of Ebrima Sanneh. Medical evidence was also obtained, followed by testimony from one Dr Muhammed Jallow of Kanifing General Hospital, who elaborated on the evaluation and diagnosis he carried out on Ebrima Sanneh on the 26<sup>th</sup> July 2020. The panel also conducted two visits to the Anti-Crime Unit in Bijilo, to inspect the Station Diary and the scene of the alleged assault.





## 2.0 Witness testimony

5. According to Ebrima Sanneh, it was in the early morning of the 24<sup>th</sup> July 2020 around 00:00hrs, that he decided to go to Ice Lounge night club with his friends. The group arrived at the club around 00:30 and had been there for roughly one hour or there about when some officers from the Anti-Crime Unit entered the club. The officers asked the DJ to stop the music and then instructed Ebrima Sanneh and his friends to stay in a corner of the club for about 20-25 minutes. They were then divided into groups and transported to the Anti-Crime base in Bijilo.
6. According to Ebrima Sanneh, upon arrival at the Anti-Crime Unit, the group of about 30-40 individuals including himself, were made to march in linear form to the charge office, where their properties were taken and labelled. The group was informed that they had been found partying in the club during a state of public emergency and against current regulations. According to Ebrima Sanneh, the police officers did not however, obtain any statements from them . He further stated that the group slept in the same cell until 09:00 am that morning, when Commissioner Gorgi MBOOB arrived at the charge office and asked the officers of the reason for their detention. The officers informed him that the group had been arrested from a night club, to which Gorgi MBOOB responded that as the offence committed was not serious, the detainees would be assigned some labour and then released.
7. Ebrima Sanneh further stated that after some time, an officer arrived with a wheelbarrow filled with hoes. The RSM, who had been placed in charge of the activities informed them that they would be doing some weeding, up to the satisfaction of Commissioner Gorgi Mboob, when they will be released to go home. They were then divided into three groups, with Ebrima Sanneh being assigned to the group weeding a corn farm. According to Ebrima Sanneh, the other group was not carrying out the weeding exercise well and were reported by an officer to Gorgi Mboob. When Gorgi Mboob came to inspect the scene, he found out that Ebrima Sanneh had cut a corn plant and asked what he was doing.
8. According to Ebrima Sanneh Commissioner Gorgi MBOOB became angry and punched Ebrima Sanneh in the face, then snatched his hoe from his hands and hit him on his genitalia. Ebrima Sanneh described the injury as severely painful and mentioned that his friends became concerned. He stated that after the physical assault, Commissioner Gorgi MBOOB insisted that he carry on


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working. At this point Ebrima's colleagues urged him to try and urinate and he eventually did but was under intense pain and the urine was reddish in colour.

9. After the incident, according to Ebrima Sanneh, Superintendent Momodou Sowe, Deputy Commander at Anti-Crime arrived at the scene, and was given an account on the events that had taken place by Ebrima Sanneh, who had since stopped working and was lying down while the remaining group members carried on the work. The group was later called to gather under a baobab tree where Gorgi MBOOB was seated. Commissioner Gorgi MBOOB then assigned Officer Sainey Manneh to escort him back to the cell and charge him with the offence of destroying police property.
10. Ebrima Sanneh further stated that, after his colleagues were released, Ebrima Sanneh asked one of the officers to plead on his behalf, which the officer refused, stating he could not 'plead with his boss' but he only executed orders. Ebrima Sanneh then successfully convinced Station Officer (SO) Sita SARR to plead for his release and was let out of his cell to see Commissioner Gorgui MBOOB. According to Ebrima Sanneh, Commissioner Gorgi MBOOB accused him of lying against him that he assaulted him on his private parts, to which he merely responded that he was still in pain. He later placed calls to his mum who asked her sister Nyima BARROW to go and see Ebrima Sanneh, and when Nyima Barrow arrived at the station to bail him out, Ebrima Sanneh mentioned that he was the last of his group to leave the Anti-Crime Unit.
11. According to Ebrima Sanneh, later that day when Officer Sainey Manneh brought a statement for Ebrima Sanneh, he mentioned to the officer that everything that had occurred had not been included in the statement. He was then asked to elaborate on all the events that had taken place, which were then written down, and told to provide his thumbprint. He then left with his aunt Nyima Barrow and attempted to get a taxi. On his way out, he met "Adu Boy", later identified as Adama Ceesay, a young man he had been arrested alongside him at Ice Lounge, and subsequently released.
12. According to Ebrima Sanneh, Adama Ceesay assisted him to get a taxi, and the pair went to the Senegambia Police Station together with Nyima Barrow around 19:30hrs to report the case. Upon arrival at the police station, Ebrima Sanneh met Station Officer Superintendent Demba Sowe and explained his ordeal to him. Superintendent Demba Sowe inform him that he could not do anything about his complaint and called the Anti-Crime Unit who sent their

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station officer and other policemen to pick Ebrima Sanneh up from the station. The station officer Sita SARR of the Anti-Crime Unit and two other officers sandwiched Ebrima Sanneh in a vehicle on the way to the hospital. The officers would not permit his aunt Nyima Barrow or Adama Ceesay to accompany him during the trip to Sukuta Health Centre or later Kanifing General Hospital.

13. He further stated that at SUKUTA Health Centre, he was given an injection and an ice bag to place on his genitals. After some time, he found that he had not regained his ability to urinate and was referred to Kanifing Hospital. On the way to Kanifing General Hospital, he recalls station officer Sarr receiving a call from an unknown individual wishing to be informed of the outcome of the medical visits.
14. On arrival at Kanifing General Hospital, the doctors attended to him, inserting something in his penis which enabled him to resume urination. He was assured by the doctors that he had not suffered any internal damage and discharged. After his release, station officer SARR attempted to have Ebrima Sanneh taken back to the Anti-Crime unit, but was prevented from doing so by Ebrima Sanneh's uncle, who clarified that Ebrima Sanneh had already been granted bail and as such was not required to go back to the Anti-Crime Unit. Ebrima Sanneh eventually spent the night in the hospital. The following morning, he was advised to go for testing at the GAMSONIC. He was escorted by the police to the GAMSONIC outlet at Westfield where a scan of his testicles confirmed that there was no internal damage but detected some swelling in the scrotum.
15. Ebrima Further stated that, at GAMSONIC one Chief Inspector Ismaila K. Bojang, one of the officers accompanying him, requested the scan documents and proceeded to pay for the cost of the scanning. Upon return to Kanifing General Hospital, Doctor Jallow reviewed the scan report and concluded that according to the report, there was no internal damage, thus any lasting discomfort was likely due to pain. Ebrima Sanneh stated that officer . Bojang later took the medical document which was handed back to him by Doctor Jallow. When Ebrima Sanneh left the hospital, one Sanna Singhateh attempted to pick him up, but was stopped by police officers who insisted that he should be taken back to the Anti-Crime Unit, despite having been granted bail the previous day.
16. According to Ebrima Sanneh, when they arrived at the Anti-Crime, he was accompanied by his aunt Nyima Barrow, Mballow Kanyi, and Sanna Singhateh

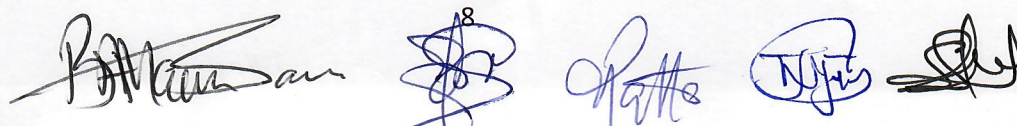
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commonly known as ST. Superintendent Momodou SOWE the Deputy Commander of the Anti-Crime Unit, Gorgi MBOOB and another officer held a meeting where Superintendent Momodou SOWE praised the good work of the Anti-Crime Unit. He claimed that the purpose of the meeting was to hold discussions with Ebrima Sanneh and his family and seek forgiveness for any wrongdoing that had occurred on the part of the police. Ebrima Sanneh alleges that at this stage, Commissioner Gorgi MBOOB apologised to him, stating that he would not 'look at his uniform, age or position' and was very sorry for his actions. He assured him that such incidents would not occur again, and reiterated his remorse, stating, "I am sorry".

17. Ebrima Sanneh further stated that, Commissioner Gorgi MBOOB then reached into his pocket and retrieved One thousand Dalasis (D 1000) to give it to him, which he refused. Sanna Singhateh (ST) then took the money and Commissioner Gorgui MBOOB stood up to leave after tapping Ebrima Sanneh on the shoulder and apologizing a final time. After leaving the station, Ebrima Sanneh said he went on social media and came across statements made by the police that he had been engaged in a fight and was arrested with prostitutes and could possibly have contracted a Sexually Transmitted Disease (STD). Ebrima's family and friends were upset by these statements, which were promulgated so widely in the media that he received calls from some media houses and eventually decided to grant an interview to 'Kerr Fatou'.
18. One Alieu Bojang testified that he and Ebrima Sanneh were arrested together on the 24<sup>th</sup> July 2020 at Ice Lounge by personnel of the Anti-Crime Unit (ACU) of the Gambia Police Force and escorted to the Anti-Crime base. According to Alieu Bojang, that morning, Commissioner Gorgi MBOOB came into the ACU and questioned who the group members were and was told they had been caught partying at a night club. Commissioner Gorgi MBOOB then instructed to have them assigned to weed the grass, at which point an officer brought the wheelbarrow with hoes and divided them into three groups to weed corn and wash cars.
19. Alieu Bojang recalls that from a distance, he could see Commissioner Gorgi MBOOB punch Ebrima Sanneh in the face, then use the hoe taken from him to hit him on his private part until he fell to the ground unconscious. He further stated that Superintendent Modou Sowe then approached Ebrima Sanneh asking what happened. After completing the assigned work, the detainees were escorted to where Commissioner Gorgi MBOOB was seated. Alieu claims when





Commissioner Gorgi MBOOB saw Ebrima Sanneh he stated, "The way you are walking does not shake me with your bad heart" he then instructed a police officer to take Ebrima Sanneh to the cells and charge him for destroying police corn.

20. One Musa Suso also testified before the panel that he was arrested with Ebrima Sanneh in the early hours of the 24<sup>th</sup> July 2020. According to Musa Suso, in the morning some of the detainees were taken to sweep within the station and veranda. Commissioner Gorgi Mboob then visited the cells asking questions about where the group came from and why they had been arrested. After he was informed that they had been arrested at the night club, Commissioner Gorgi MBOOB ordered that they be punished and then released. The detainees were then divided into three groups where some would be weeding while others washed cars. Musa Suso said he was placed in the latter group. While they were working, a boy who came to fetch water from the tap where the cars were being washed informed the group that Commissioner Gorgi MBOOB has hit Ebrima Sanneh. He said he then saw Ebrima Sanneh limping with his hand inside his trousers. When the group completed their assigned tasks, they were called to gather around Commissioner Gorgi MBOOB who was seated under a baobab tree. Musa Suso further stated that he was the first person to leave with his friend when they were released. He said he did not know what happened to the rest of the group but later saw and heard on the media that Ebrima had a problem on his private parts from the Anit-crime Unit.
21. Nyima BARROW testified that on the 25<sup>th</sup> July 2020, Ebrima Sanneh's mother, who had returned from the United States and was on quarantine at Palm Beach Hotel, called her to collect some gifts she brought for her twins. While chatting with his mother, Ebrima Sanneh called to inform her that he was at the Anti-Crime Unit and that he had been beaten with a hoe on his private part by Gorgi MBOOB. He complained of abdominal pain, and inability to urinate. Ebrima Sanneh's mother asked Nyima Barrow to go to the station and handle her son's matter as she was unable to leave the quarantine area.
22. Nyima BARROW further stated that when she arrived at the Anti-Crime base, Ebrima Sanneh explained to her that he had mistakenly uprooted a corn plant while weeding, resulting in Commissioner Gorgi MBOOB punching and slapping him, then hitting him in his genitals with the hoe he had taken from him. She then bailed Ebrima Sanneh, who was asked to report on bail the following Monday. As they exited the Anti-Crime Unit, Ebrima Sanneh urged





her to accompany him to Senegambia Police Station to report the matter, as a police report would likely be requested at the hospital.

23. Nyima further stated that when they arrived at Senegambia Police Station, Ebrima Sanneh explained to officers about the events that had transpired at the Anti-Crime Unit and requested a police report to tender at the hospital. She said Superintendent Demba SOWE informed them that 'police do not take police to the law' and instead placed a call to the Anti-Crime Unit to collect Ebrima Sanneh and transport him to the Hospital. Shortly after, Anti-Crime Unit officials arrived to pick up Ebrima Sanneh and took him first to Sukuta Health Centre and then Kanifing General Hospital. Around 01:00hrs one Dr. Jallow suggested that Ebrima Sanneh could spend the night in the hospital. The Anti-Crime Unit escorting officers stayed back to watch over Ebrima Sanneh.
24. Nyima Barrow further explained that when Ebrima SANNEH was released from the hospital the following morning 26<sup>th</sup> July 2020, he entered the vehicle of Sanna Singhateh, who escorted him to the Anti-Crime Unit where they met with Commissioner Gorgi MBOOB. According to Nyima Barrow, during the meeting Superintendent Sowe apologized, stating as follows, "I want you to forgive us and what happened should not have happened. We want you to plead to Ebrima to forgive us. We know when you step out of this place the social media can pick it up and give misleading information." After Superintendent Sowe's apology, Commissioner Gorgi MBOOB apologized as well, claiming he would not look at his position but would apologise as he wronged Ebrima Sanneh. He then gave one thousand dalasis (D1000.00) to Ebrima Sanneh and apologized again.
25. Nyima Barrow also stated that as they were leaving, Commissioner Gorgi MBOOB tapped Ebrima on his shoulder and said, "I am very sorry." She further mentioned that as Commissioner Gorgi MBOOB appeared remorseful, she later called to inform him that she felt her apology was sincere and assured him that she would talk to her family to resolve the matter amicably. Nonetheless, later that day, she received a call from Lamin NJIE of Fatu Network stating that the police had issued a statement claiming that the allegations made against Commissioner Gorgi MBOOB were false.
26. One Sanna Singhateh (ST) testified that he was present at Kanifing General Hospital with Ebrima Sanneh and accompanied him to the Anti-Crime base where they had a meeting with Commissioner Gorgi MBOOB. During the

