



The National Human Rights Commission, The Gambia

PRESS RELEASE

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**CHARGES AGAINST MR. MADI JOBARTEH DROPPED BY THE INSPECTOR
GENERAL OF POLICE WITH IMMEDIATE EFFECT.**

Following a fruitful discussion at the Headquarters of the National Human Rights Commission today Friday 10th July 2020, with the Gambia Police Force, the National Human Rights Commission (NHRC), the Gambia Bar Association and The Association of Non-Governmental Organisations (TANGO), the Inspector General of Police has agreed to drop, with immediate effect, all the charges preferred against Mr. Madi Jobarteh, a human rights defender who was charged with false publication and broadcasting contrary to Section 181A(1) of the Criminal Code of The Gambia.

“I am happy to announce that as Inspector General of Police of The Gambia Police Force, we are dropping all charges against Mr. Madi Jobarteh as from today. No other action will be taken against him as far as this case is concerned”, said the IGP.

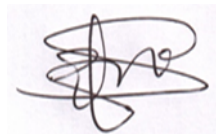
This milestone, following the advisory role of the National Human Rights Commission, was achieved after a frank discussion, which the Commission had with the Inspector General of Police on Thursday 9th July 2020, subsequent to its concerns raised with the Minister of Interior regarding the case.

At today’s meeting, both TANGO and GBA reiterated that the State is the primary duty bearer and has the obligations to respect, protect and fulfil the fundamental human rights of all persons residing in The Gambia. They called on the Gambia Police Force and all other State security agencies to continuously assume their critical roles as the number one defender and protector of the rights and freedoms of the people.

It is important to highlight that the right to freedom of expression and speech is sacrosanct and can only be limited in accordance with procedures established by law and in particular to achieve public order and security. The enjoyment of all other human rights cannot be possible when the right to freedom of expression and speech is stifled, censored or unduly restricted or when the people feel a sense of intimidation and fear for expressing their views and opinions on matters of national or public interest.

While commending the IGP for the willingness to engage in the discussions and in his commitment to drop all the charges against Mr. Jobarteh, he was reminded of the importance of timely communication with the public, especially on matters of public interest and concern. Suspicions and speculations are minimized when the public is regularly informed and aware of cases under investigations by the Police. Both TANGO and the GBA encouraged the State and its security apparatus to engage with civil society, communicate in a timely and accurate manner and to build strong partnerships to foster a smooth transition following two decades of arbitrary rule by the former president.

The National Human Rights Commission wishes to remind the Government of its obligations to respect and protect the right of the people to free speech, in accordance with Section 25 of the Constitution of The Gambia, 1997, which guarantees every person living in The Gambia the right to freedom of expression, conscience, assembly, association and movement, as expected in a democratic nation anchored on the rule of law, good governance and due process.



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