

# URGENT ACTION

## JOURNALISTS' CASE TO BE DECIDED ON 3 NOVEMBER

**Gambian journalists Musa Sheriff and Sainey M.K. Marenah will have their case decided by a magistrate on 3 November. They could be jailed for up to two years for the legitimate exercise of their right to freedom of expression. They would be prisoners of conscience.**

A magistrate will rule on 3 November on the case of journalists **Musa Sheriff** and **Sainey M.K. Marenah**, who are now free on bail but still facing charges of "publication of false news with intent to cause fear and alarm to the public" and "conspiracy to commit felony". These charges are often used to target journalists.

The men's court sessions have been cancelled repeatedly, distressing them and their families, and causing them financial hardship. They have had to take days off work to attend court sessions, which have been cancelled only after they have arrived. Since the trial began, several companies have stopped placing advertisements in the privately-owned newspaper *The Voice*, for which Musa Sheriff and Sainey M.K. Marenah both write.

Musa Sheriff and Sainey M.K. Marenah were arrested on 13 January in the town of Serekunda over an article published in *The Voice* on 9 December 2013. The article reported on the defection of youth supporters of the ruling party, the Alliance for Patriotic Reorientation and Construction (APRC), to the opposition United Democratic Party (UDP). The APRC contested the story, and *The Voice* later published a response.

### **Please write immediately in English or your own language:**

- Calling on the authorities to drop the charges against Musa Sheriff and Sainey M.K. Marenah since they
- are related solely to the legitimate exercise of their right to freedom of expression;
- Urging them to respect and protect the rights to freedom of expression and ensure that journalists are able to carry out their work without hindrance, intimidation or harassment;
- Urging them to remove unlawful restrictions on freedom of expression, association and assembly from the Gambia's legislation.

### **PLEASE SEND APPEALS BEFORE 11 DECEMBER 2014 TO:**

**Minister of Justice and Attorney General**  
Basirou Mahoney  
Ministry of Justice  
Marina Parade  
Banjul  
The Gambia  
**Fax: 011 220 422 9908**  
**Email: [info@moj.gov.gm](mailto:info@moj.gov.gm)**  
**Salutation: Dear Minister**

**Minister of Interior and NGO Affairs**  
Ousman Sonko  
Ministry of Interior and NGO Affairs  
No.5 J.R. Forster Street (Ex. Fitzgerald Street)  
Banjul  
The Gambia  
**Fax: 011 220 420 1320**  
**Salutation: Dear Minister**

**And copies to:**  
**Minister of Foreign Affairs**  
Bala Garba-Jahumpa  
Ministry of Foreign Affairs, International Cooperation and Gambians Abroad  
4, Marina Parade  
Banjul  
The Gambia  
**Email: [info@mofa.gov.gm](mailto:info@mofa.gov.gm)**

### **Also send copies to:**

Deputy Ambassador Sheikh Omar Faye, Embassy of The Gambia  
2233 Wisconsin Avenue, NW, Georgetown Plaza, Suite 240, Washington, DC 20007, USA  
**E-mail: [info@gambiaembassy.us](mailto:info@gambiaembassy.us) | Telephone: (202) 785-1399, 1379, 1425 | Fax: (202) 342-0240 | <http://www.gambiaembassy.us>**

Please let us know if you took action so that we can track our impact! **EITHER** send a short email to [uan@aiusa.org](mailto:uan@aiusa.org) with "UA 10/14" in the subject line, and include in the body of the email the number of letters and/or emails you sent, **OR** fill out this [short online form](#) to let us know how you took action. Thank you for taking action! Please check with the AIUSA Urgent Action Office if sending appeals after the below date. This is the third update of UA 10/14. Further information: <http://www.amnesty.org/en/library/info/AFR27/003/2014/en>

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### ADDITIONAL INFORMATION

Journalists, human rights activists and political opponents in the Gambia are routinely subjected to human rights violations such as unlawful arrest and detention, torture, unfair trial, harassment, assault and death threats, making it extremely difficult for them to do their work.

In July 2013, the Gambian government passed a law which limits freedom of expression on the internet, one of the few remaining public spaces for dissent. The "Information and Communication (Amendment) Act 2013", allows the government to impose penalties of up to 15 years imprisonment and hefty fines for criticizing government officials online. It targets people who spread "false news" about the government or public officials; caricature or make derogatory statements against public officials; and incite dissatisfaction or instigate violence against the government.

Three months earlier the Gambia's National Assembly had unanimously passed the "Criminal Code (Amendment) Act, 2013", also known as "The Principal Act", which broadens definitions of offenses and places harsher punishments on the following: acts of public disorder, such as "hurling abusive insults" or "singing abusive songs"; giving false information to a public servant; and it criminalizes people's expression through their choice of clothing. The Principal Act contains vague definitions which leave room for interpretation and application that do not comply with international human rights law.

**Names:** Musa Sheriff (m), Sainey M.K. Marenah (m)

**Issues:** Freedom of expression, Prisoners of conscience, Legal concern

**Further information on UA:** 10/14 (15 January 2014) and updates (17 January 2014, 14 February 2014)

**Issue Date:** 30 October 2014

**Country:** The Gambia