

ACHPR/Res.299 (EXT.OS/XVII) 2015: Resolution on the Human Rights Situation in the Republic of The Gambia

The African Commission on Human and Peoples' Rights (the Commission), meeting at its 17th Extra-Ordinary Session from 19 - 28 February 2015 in Banjul, The Gambia:

Recalling its mandate to promote and protect human and peoples' rights pursuant to the African Charter on Human and Peoples' Rights (the African Charter);

Bearing in mind that The Gambia is a Member State of the African Union, State Party to the African Charter and signatory to the African Charter on Democracy, Elections and Governance;

Noting the provisions of the African Charter on Democracy, Elections and Governance and the ECOWAS Protocol on Democracy and Good Governance;

Recalling that amongst the objectives of the African Union are the promotion and protection of human and peoples' rights, in accordance with the African Charter, and the promotion of democratic principles and institutions, popular participation and good governance;

Underscoring the right of citizens to freely participate in the government of their country, through freely chosen representatives as enshrined under Article 13 of the African Charter;

Reiterating the principles stipulated in its *Resolution ACHPR/Res.213 (CCXIII) 12 on the Unconstitutional Changes of Government*, adopted on 2 May 2012, during its 51st Ordinary Session held in Banjul, The Gambia from 18 April to 2 May 2012 which condemns attempts to institute autocratic regimes and the unconstitutional change of Government on the Continent, acts which it considers to be a serious threat to stability, peace, security and development;

Deploring the attempted unconstitutional change of Government in The Gambia, on 30 December 2014;

Mindful of the need to ensure that due process is observed for all persons, including those who may have participated in those events, as well as their families;

Drawing attention to Articles 6 and 7 of the African Charter on the rights to personal liberty, protection from arbitrary arrest and respect for fair trial standards;

Concerned about the deteriorating human rights situation in The Gambia, particularly following the attempted unconstitutional change of government;

The Commission:

1. **Condemns** the attempted unconstitutional change of government on 30 December 2014;
2. **Requests** the Government of the Republic of The Gambia to ensure due process for any suspects detained on allegations of participating in the attempted unconstitutional change of government;
3. **Urges** the Government of the Republic of The Gambia to ratify the African Charter on Democracy, Elections and Governance; and
4. **Calls on** the Government of the Republic of The Gambia to invite the Commission to undertake a fact-finding mission to The Gambia.

Done in Banjul, The Gambia on 28 February 2015