



Plenary sitting

B8-0600/2016

10.5.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Gambia
(2016/2693(RSP))

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on behalf of the PPE Group

**European Parliament resolution on Gambia
(2016/2693(RSP))**

The European Parliament,

- having regard to the statement of 17 April 2016 by the spokesperson of the HR/VP on recent violence in The Gambia,
 - having regard to the statement of 17 April 2016 of the Spokesperson for the UN Secretary-General on the death of Gambia opposition party members,
 - having regard to the comment of 17 April 2016 by the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein on the situation in The Gambia,
 - having regard to the press statement of the African Commission on Human and People's Rights' on the events of 14 and 16 April 2016 in Gambia,
 - having regard to the report of 11 May 2015 of the Special Rapporteur on extrajudicial, summary or arbitrary executions- Mission to the Gambia,
 - having regard to the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,
 - having regard to the Universal Declaration on Human Rights Rights,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the International Covenant on Economic, Social and Cultural Rights,
 - having regard to the Gambian Constitution,
 - having regard to the Cotonou Agreement,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas Gambia is considered one of the most repressive regimes by human rights organisations; whereas the current situation in Gambia with regard to human rights, fundamental freedom and democratic space is worsening with ruthless repression of civil society members and dissidents, and the use of state security forces and paramilitary groups to silence criticism;
- B. whereas President Yahya Jammeh has been in power since a bloody coup in 1994; whereas presidential elections will be held in December 2016 and human rights observers worry about growing political tensions in the country;
- C. whereas on 14 April 2016 in Banjul, peaceful protests against the regime have led to brutal repression by the Gambian security forces and the arrest of several political opponents, including Solo Sandeng, opposition leader and member of the United

Democratic Party (UDP);

- D. whereas two days later, Solo Sandeng and two other UDP members were reported dead while under custody, leading to serious suspicion of ill-treatment and acts of torture;
 - E. whereas Alhagie Ceesay, the managing director of the independent radio station Teranga FM, was arrested on 2 July 2015 after having shared an insulting picture of President Jammeh; whereas despite his poor health, he has been denied bailed on several occasions; whereas in March 2016, the UN Working Group on Arbitrary Detention called on Gambia to release Ceesay and drop all charges against him;
 - F. whereas in 11 December 2015, President Jammeh declared Gambia an Islamic state, although secularism is enshrined in the Gambian Constitution, but ensured that the rights of non-Muslim communities, including Christian minority, would be respected;
 - G. whereas same-sex relations are forbidden by law and criminally punished; whereas government officials, including President Jammeh himself, have publicly called for violence and discrimination against homosexuals;
 - H. whereas the Cotonou Agreement in its Article 9 stipulates that respect for human rights is an integral part of sustainable development and shall be actively supported by the ACP-EU partnership;
 - I. whereas Gambia is a signatory to the Cotonou Agreement, Article 96 of which stipulates that respect for human rights and fundamental freedoms is an essential element of ACP-EU cooperation;
 - J. whereas Gambia, Africa's smallest country with 1,8 million inhabitants, remains one of the poorest countries in Africa, ranking 175 out of 188 countries in the Human Development Index for 2014;
 - K. whereas the situation of human rights, democracy and rule of law in Gambia raises real concerns and these issues are being addressed by the EU in a dialogue under article 8 of the Cotonou Agreement since end of 2009, but with little concrete progress
 - L. whereas, following concerns over human rights situation, the EU drastically reduced its aid to Gambia, though remaining the largest aid donor to the country with a total of 33 million euro for the NIP period of 2015-2016;
 - M. whereas the NIP for Gambia in the period 2015-2016 foresees investments in agriculture and food security as well as the transport Sector, and no funds are allocated to civil society development, democratic governance or promotion of human rights and the rule of law;
- 1. Deplores the constant reports of harassment, arbitrary detention, persecution and forced disappearance of members of the political opposition, independent journalists and human right defenders; calls for the immediate and unconditional release of all political prisoners;
 - 2. Stresses that the respect for freedom of expression, association and assembly are

fundamental to any democratic society and guaranteed by the Gambian Constitution, and that excessive force in response to peaceful protests should be avoided in all circumstances;

3. Deeply regrets the death of opposition leader Solo Sandeng and other party members and calls for an independent and impartial investigation on the circumstances of their detention, including the allegations of torture and other ill-treatments;
4. Calls on Gambia to ratify the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
5. Reminds the Gambian government of their obligations to guarantee fundamental rights, including access to justice and the right to a fair trial as well as freedom of religion, thought and expression, as provided for in the International Covenant on Civil and Political Rights that Gambia has ratified, and other international and regional human rights instruments;
6. Regrets that Gambia has failed to honour reporting obligations under the International Covenant on Civil and Political Rights in the last 17 years;
7. Recalls the commitment made by Gambia under the Cotonou Agreement to respect democracy, the rule of law and human rights principles which include freedom of expression and freedom of the media; and calls on the EU to make use of all available political means to ensure Gambia's commitment to human rights, the rule of law, good governance and democracy; in this regards, asks for a more assertive EU approach in using the political dialogue and the consultation mechanism under the Cotonou as a tool in cases of severe human rights breaches;
8. Is concerned that the 2015-16 National Indicative Programme for Gambia does not foresee any support or funding to the civil society, nor for democratic governance, promotion of the rule of law and human rights protection; calls on the Commission to ensure that democratic governance, rule of law and human rights protection are the focal sectors of any future development cooperation agreements to be considered between EU and Gambia;
9. Stresses that free and independent media are essential to guarantee an informed, active and engaged population; condemns the regular shutdowns and bans of independent radio stations and newspapers and urges on the Gambian authorities to guarantee the rights of local civil society and media;
10. Takes note of the Gambian government's renouncement to secularism and worries about serious risks of marginalisation for Christian communities; calls on the Gambian authorities to prevent any religious discrimination and to encourage and act in favour of a peaceful and inclusive dialogue between all communities;
11. Condemns any incitements to hatred, violence and discrimination on grounds of sexual orientation; urges the Gambian government to abolish the Anti-Homosexuality Bill in order to guarantee the fundamental rights and dignity of all;
12. Recalls that security and stabilisation remain great challenges in the West African

region and insists on the need for the African Union and the ECOWAS to closely monitor the situation in Gambia and maintain a permanent political dialogue with the Gambian authorities on the improvement of democracy and the rule of law;

13. Instructs its President to forward this resolution to the Council, the Commission, the Commission Vice-President / EU High Representative of the Union for Foreign Affairs and Security Policy, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, the African Union Commission and the Pan-African Parliament, the Gambian Government and the Secretary-General of the United Nation.