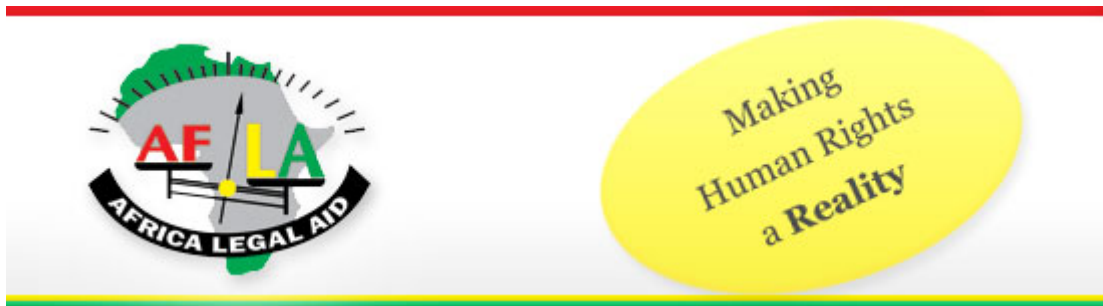


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YAHYA JAMMEH SHOULD BE PROSECUTED, BUT WHERE?

Africa Legal Aid (AFLA) in cooperation with the Attorney General's Chambers and Ministry of Justice of the Gambia, convened a West Africa Stakeholders' Meeting on Emerging Trends on Complementarity, as well as a 20th Anniversary Commemoration of the Rome Statute of the ICC. The meetings were held in Banjul, the Gambia from 25-26 April 2018. Participants attended from Burkina Faso, Cote d'Ivoire, Gambia, Ghana, Guinea, Liberia, Mali, Mauritania, Nigeria, Senegal, Sierra Leone, and elsewhere. They included members of the judiciary, prosecutors, civil societies, legal fraternities and victims of atrocity crimes.

We share some impressions below.



All rise for Lord Chief Justice Hassan Jallow.



During the opening ceremony, from left to right: **Morten Kjaerum**, **Justice Fatoumata Dembele Diarra**, Supreme Court of Mali and Former First Vice President of the ICC, **Lord Chief Justice Hassan Jallow** and **Evelyn A. Ankumah**, Executive Director of AFLA.



West African Stakeholders' Meeting on the Emerging Trends on Complementarity.



Lord Chief Justice Hassan Jallow gives his keynote address on Complementarity in the Pursuit of International Criminal Justice in Africa.



Panel on The Gambian Victim in Focus, from left to right: **Dr. Baba Galleh Jallow**, Executive Secretary, Truth, Reconciliation and Reparation Commission of the Gambia, **Ayeesha Jammeh**, Secretary at the Gambia Centre for Victims and Human Rights Abuse, also the niece of Yahya Jammeh, whose father had been killed by his own brother, Yahya Jammeh. Ayeesha Jammeh informs the audience that after her aunt confronted her uncle (Yahya Jammeh) about the whereabouts of their brother, she too was killed by Jammeh. Mama Koite Dumbia, Board Member, Trust Fund for Victims at the ICC (Chair) and **Baba Hyudara**, Co-Publisher, the Point Newspaper also informed the audience how his father was killed for criticising Jammeh in his newspaper.

'Justice done at home or close to home offers better assurance of efficiency and legitimacy', was an underlying theme. Yet, there was a call on the ICC to prosecute the lead perpetrators of the atrocities committed in the Gambia during the rule of Yahya Jammeh. Gambia, it was reported, lacks both the investigative and forensic capacity to prosecute.

Participants were reminded that the Office of the Prosecutor of the ICC had earlier announced that the crimes committed do not meet the gravity threshold for the ICC to intervene. Why, one may ask is this the case?

The murders, tortures, false imprisonments and other severe deprivation of physical liberty committed by Jammeh and his junglers, against civilians, were widespread and systematic. Those crimes were committed over a long period of time, including since the entry into force of the ICC Statute.

The new government of the Gambia should do its utmost to build capacity of its justice sector to ensure full accountability and provide justice for all victims. In case the government is unable to build capacity within a reasonable period, it should not shy away from inviting the ICC to officially open an investigation into the crimes against humanity committed during the era of Yahya Jammeh, after the entry into force of the Rome Statute, like was done by the Central African Republic, Cote d'Ivoire, and Mali.

The people of Gambia too deserve justice!



Participants take a break. From left to right: **Asmaou Diallo**, President, Association of Victims, Relatives and Friends in Guinea, **Ahmedou Tidjane Bal**, Legal and Judicial Affairs Counsel, Team of Experts on

the Rule of Law and Sexual Violence in Conflict, Office of the Special Representative of the Secretary-General of the UN, **Justice Fatoumata Dembele Diarra**, **Lord Chief Justice Hassan Jallow** and **Justice Mbacké Fall**, Supreme Court of Senegal and Former Chief Prosecutor of the Extraordinary African Chambers for the Prosecution of Hissène Habré.



From left to right: **Ms. Miriam Khan Senghore**, Permanent Secretary, Office of the Vice President of the Gambia, **Justice Mbacké Fall**, H.E. **Judge Geoffrey Henderson** of the ICC and **Morten Kjaerum**.



Panel on Victims as a Driving Force in the Prosecution of International Crimes, from left to right: **Henri Thulliez**, Executive Director, La Fondation pour l'Égalité des Chances en Afrique, **Reed Brody**, Advocate for Hissène Habré's Victims and Commissioner, International Commission for Jurists, H.E.

Judge Geoffrey Henderson (Chair), **William Nyarko**, Executive Director, African Centre for International Law and Accountability and **Fatoumatta Sandeng**, President, Solo Sandeng Foundation.



The final panel on the Future of Complimentarity Initiatives in Africa, from left to right: Elise Keppler, Associate Director of International Justice Programme at Human Rights Watch, **Evelyn A. Ankumah** (Chair), **Justice Mbacké Fall** and **Aminchi Adeyemi**, Ministry of Justice, The Gambia.



Evelyn A. Ankumah giving the opening address at the Commemoration of the 20th Anniversary of the ICC Statute.



H.E. Judge Geoffrey Henderson proposes a toast after presenting his keynote address at the Commemoration of the 20th Anniversary of the ICC Statute.

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