

Africa Legal Aid

Statement to the ICC Assembly of States Parties

December 2019

Mr Chairman, Your Excellencies:

My name is Fatou Jallow and I am speaking on behalf of Africa Legal Aid – AFLA.

In 2015, when I was 18 years old, I survived being raped by the former president of The Gambia, Yahya Jammeh. Shortly thereafter, I escaped The Gambia and eventually secured exile in Canada.

Today, it is Jammeh who is in exile, in Equatorial Guinea, and this year, I went back to The Gambia and told my story publicly for the first time. I testified in a televised hearing before the Gambia Truth, Reconciliation and Reparations Commission – the TRRC. I explained that after I was voted “queen” of the state-sponsored scholarship pageant, president Jammeh gave gifts to my family, offered me a job and even asked to marry me. When I refused, he locked me in a room, and told me “No woman has ever rejected me. Who do you think you are?” As I described to the TRRC in very graphic detail, he then injected me with a liquid and raped me.

Unfortunately, I was not Jammeh’s only sexual victim. Another woman testified that Jammeh hired her as a “protocol girl” and promised her a scholarship, but when she refused sex, he fired her and withdrew the scholarship. Insider witnesses, including Jammeh’s former protocol chief, provided further evidence of a system, first revealed by Human Rights Watch and TRIAL International, in which Jammeh’s aides regularly pressured women to visit or work for Jammeh, who then sexually abused many of them.

The TRRC is uncovering evidence of Jammeh’s participation in many other crimes as well. These include ordering the killing and torture of political opponents, the murder of 56 West African migrants, and “witch hunts” in which hundreds of women were arbitrarily detained. In each

case, the perpetrators themselves confessed to the TRRC that they committed the crimes on the orders of Yahya Jammeh.

In the case of the migrants for instance, poor men and women who were only trying to get to Europe, including 44 from Ghana, as well Nigeria, Cote d'Ivoire, Togo and Senegal, two gunmen from the "Junglers," Jammeh's elite hit-squad, testified at the TRRC that the operation's leader told the men that (and I quote) "the order from Jammeh is that they are all to be executed."

The TRRC will soon take up Jammeh's "presidential treatment program," in which HIV-positive Gambians were forced to give up their medicine and put themselves in Jammeh's personal care, with deadly results.

To build on my own difficult experience, I have created the Toufah Foundation to assist women and girls in Gambia to fight against sexual abuse, because the problem of sexual violence in my country goes well beyond Yahya Jammeh. But I am also part of the "Jammeh2Justice" campaign which seeks to hold accountable the former dictator and his worst henchmen. The TRRC has the power to recommend prosecutions and we hope and expect that the TRRC will recommend, and the Gambian government will request, Jammeh's extradition. Getting him back will not be easy, of course, as we have seen Jammeh on video cavorting like a celebrity with Equatorial Guinea's own president.

In the spirit of complementarity, we look to The Gambia and the states of West Africa (indeed ECOWAS played a decisive role in Jammeh's departure from the Gambia) to press for his extradition and trial and to devise a system to prosecute the crimes I have described, including crimes of sexual violence. That process could take place in The Gambia or in the region, and with the support of the ICC.

Mr Chairman, I want to be in the same room with Yahya Jammeh again - a courtroom this time.

Thank you