

PRESS RELEASE - THE OBSERVATORY

THE GAMBIA: Sentencing to prison of lawyer Moses Richards, a chilling message to the Gambian human rights community

Paris-Geneva, September 21, 2011. *The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), condemns the sentencing of prominent lawyer Moses Richards, as a move to intimidate the Gambian civil society and, more particularly, lawyers who stand up for human rights.*

On September 19, 2011, lawyer **Moses Richards**, former High Court Judge at the Special Criminal Division, who is known for defending victims of human rights abuses in politically sensitive cases, was convicted and sentenced to two years' imprisonment with hard labour by Principal Magistrate Taiwo Ade Alagbe of the Banjul Magistrates' Court on charges of "giving false information" and "sedition" to a public officer. He was immediately arrested and jailed in Mile Two prison.

Mr. Richards was prosecuted in relation to acts ordinarily performed by lawyers acting on behalf of the clients. The Observatory recalls that another prominent lawyer, Mr. **Lamin K. Mboge**, a senior member of The Gambia Bar Association (GBA), a former magistrate, and who is also the leading counsel in a case involving two women human rights defenders, has been prosecuted since January 2011 under the same pattern on charges "making false documents without authority", coupled with "false swearing" and "uttering false documents".

The Observatory believes that the criminal case against Mr. Richards, as well as that against Mr. Mboge, was fabricated, in the run up to the presidential elections to be held on November 24, 2011, to intimidate and silence the Gambian civil society and, more particularly, lawyers who stand up for human rights. The Observatory fears that other members from the legal community may also face similar acts of harassment.

The Observatory firmly denounces the arbitrary detention of Mr. Richards, which seems to only aim at sanctioning his actions in favour of human rights and calls upon the Gambian authorities to immediately and unconditionally release him as his detention is arbitrary, guarantee in all circumstances his physical and psychological integrity, and stop any kind of harassment - including at the judicial level - against human rights defenders, in line with the United Nations Declaration on Human Rights Defenders, the African Charter on Human and Peoples' Rights, the Universal Declaration of Human Rights and international human rights instruments ratified by The Gambia.

Furthermore, the Observatory recalls that following allegations of human rights violations against Gambian human rights defenders, the Observatory sent a fact-finding mission to The Gambia in May 2010. The mission report published in July 2011 is available in English on the following web links:

FIDH: <http://www.fidh.org/IMG/pdf/reportthegambiaobsjuly2011.pdf>

OMCT: http://www.omct.org/files/2011/07/21336/the_gambia_mission_report.pdf

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