

Gambians expect Truth, Reconciliation and Reparations Commission to heal the nation but want human-rights violators prosecuted

Afrobarometer Dispatch No. 249 | Sait Matty Jaw

Summary

The departure of Yahya Jammeh in 2017 marked a new beginning in the Gambia. But the legacy of his two-decade authoritarian rule, characterized by gross human-rights violations and a society strained by political and ethnic divisions as well as poverty (Tambadou, 2018), continues to challenge efforts of the new government to consolidate democracy.

In December 2017, the government of President Adama Barrow, in a bid to fulfill its electoral promise, established the Truth, Reconciliation and Reparations Commission (TRRC). The TRRC is part of a broader transitional-justice process aimed at addressing past human-rights abuses and building a stable democratic future through justice moored to respect for the rule of law and human rights. In addition to the TRRC, the government established a Constitutional Review Commission (CRC) and initiated security-sector and civil-service reform processes.

The TRRC is not without controversy. According to Executive Secretary Baba Galleh Jallow, the TRRC gets “pushback from the supporters of Jammeh on social media and publications in the media” (International Center for Transitional Justice, 2018). The former mayor of the Kanifing Municipality and national mobilizer for Jammeh's party, the Alliance for Patriotic Re-orientation and Construction, has described the TRRC as a “witch hunt” aimed at the former president (Bah, 2018).

Given the contested nature of Gambia's transition, how do ordinary Gambians view the TRRC? What are citizens' key expectations from the commission?

Afrobarometer's inaugural national survey in the Gambia finds that citizens have varying expectations of the TRRC, including both national healing and justice. More than one-fourth of Gambians say they or a member of their family suffered at least one form of human-rights abuse at the hands of Jammeh's regime, and a majority of citizens say that irrespective of the TRRC's work, the perpetrators should be tried in court. However, opinions are divided on whether to seek extradition of Jammeh to face justice in the Gambia.

Afrobarometer survey

Afrobarometer is a pan-African, non-partisan research network that conducts public attitude surveys on democracy, governance, economic conditions, and related issues in Africa. Six rounds of surveys were conducted in up to 37 African countries between 1999 and 2015, and Round 7 surveys are being completed in 2018. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice with nationally representative samples.

The Afrobarometer team in the Gambia, led by the Centre for Policy, Research and Strategic Studies (CepRass), interviewed 1,200 adult Gambians in July and August 2018. A sample of this size yields country-level results with a margin of error of +/-3 percentage points at a 95% confidence level.

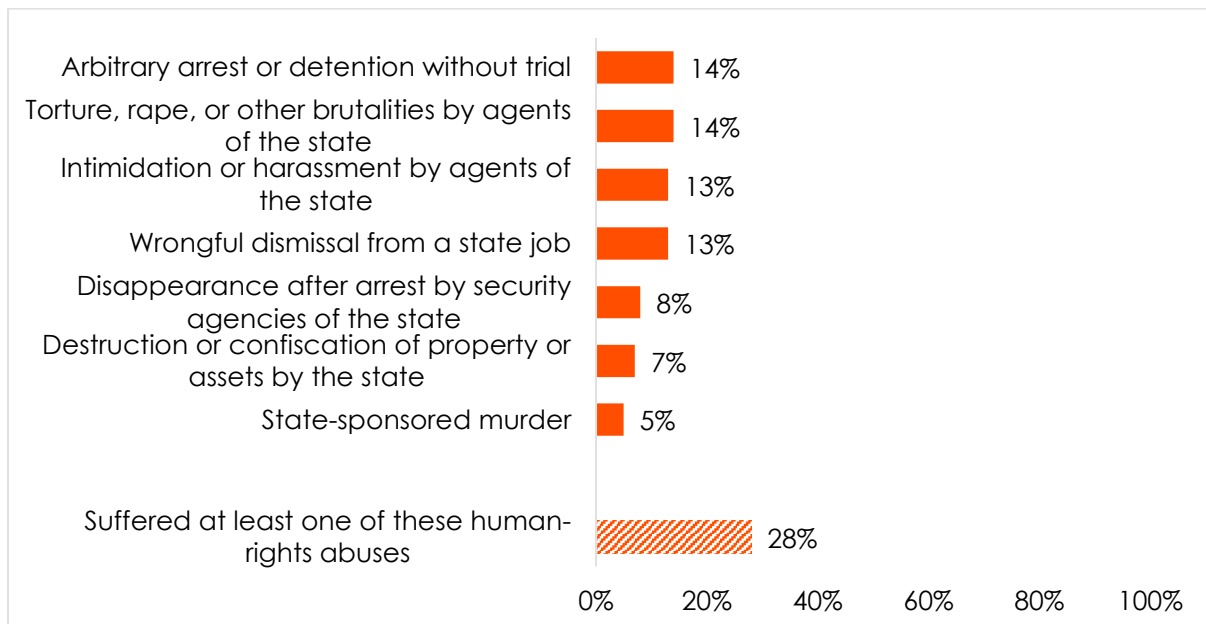
Key findings

- More than one in four Gambians (28%) say they or a member of their family suffered at least one form of human-rights abuse under the Jammeh regime.
- Citizens expect a variety of outcomes from the TRRC's work, ranging from national peace, reconciliation, forgiveness, and healing (34%) to accurate records of the previous regime's human-rights abuses (30%), prosecution of accused perpetrators (28%), and support and reparations for victims.
- Fewer than half (46%) of Gambians say they trust the TRRC "a lot" or "somewhat." Three in 10 (29%) say they don't know whether or not they trust the commission or refused to answer the question.
- Two-thirds (68%) of Gambians say perpetrators of crimes and human-rights abuses during Jammeh's regime should be tried in court, irrespective of the work of the TRRC.
- Half (51%) of Gambians say the former president should face prosecution for crimes and human-rights abuses.
- Six in 10 Gambians (60%) recommend a collaborative effort between the governments of Ghana and the Gambia to ascertain the truth about 44 Ghanaians who were murdered in the Gambia.

Human-rights abuses during Jammeh's regime

Jammeh's rule (1994-2017) was characterized by blatant human-rights abuses (Amnesty International, 2018; Media Foundation for West Africa, 2014). More than one-quarter (28%) of Gambians say they or a member of their family suffered at least one form of human-rights violation under the regime, including arbitrary arrest or detention without trial (14%); torture, rape, and other brutalities by agents of the state (14%); intimidation by agents of the state (13%); and wrongful dismissal from work (13%) (Figure 1).

Figure 1: Suffered human-rights abuse | The Gambia | 2018



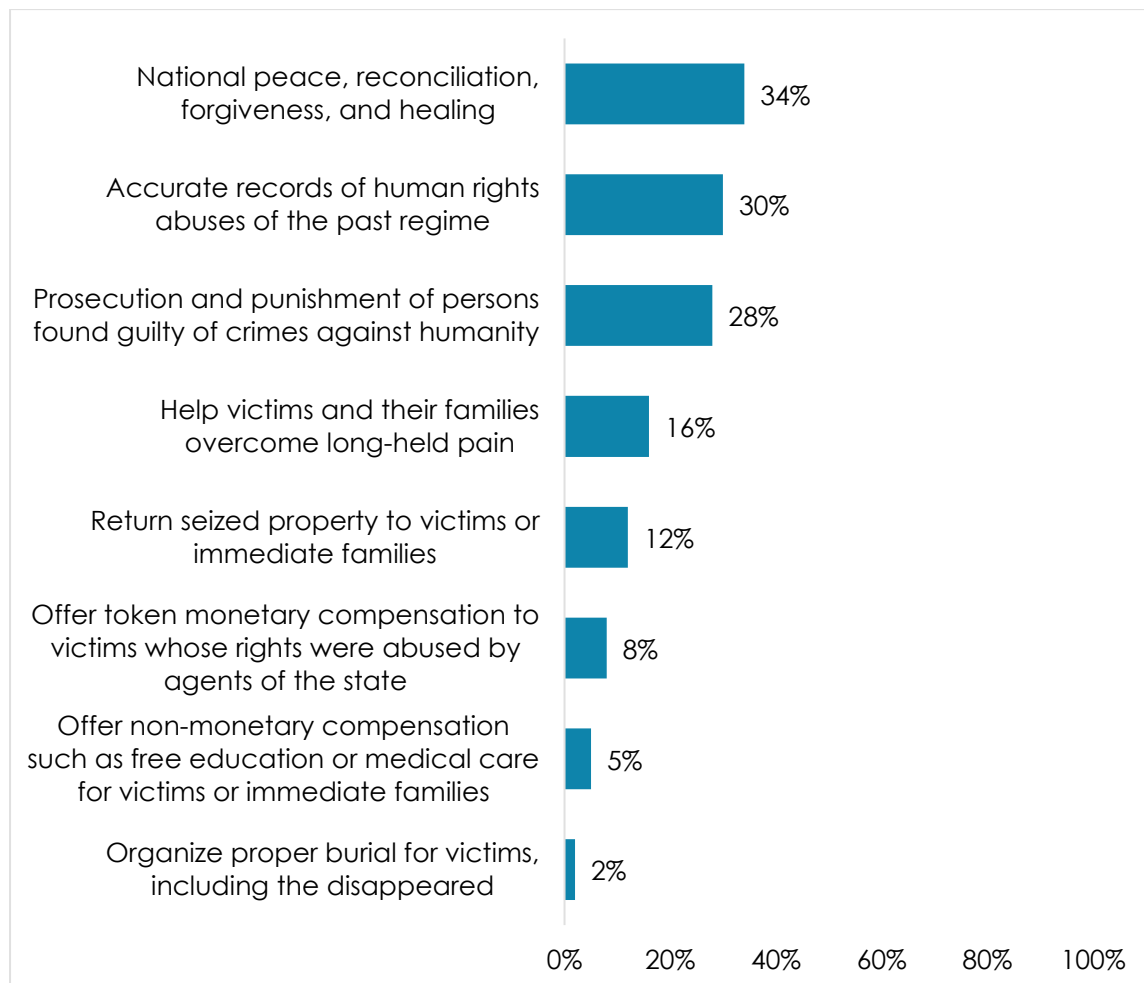
Respondents were asked: Some people suffered various human-rights abuses under Yahya Jammeh's regime. Please tell me whether you or any member of your family suffered the following human-rights abuse?

TRRC: Popular expectations and trust

The objectives of the Gambia's TRRC include investigating human-rights violations and abuses committed during Jammeh's rule, dealing with possible prosecution, fostering social cohesion and national reconciliation, recognizing the rights and dignity of victims through the provision of appropriate reparations, and learning appropriate lessons in order to put in place effective mechanisms to prevent a recurrence (Tambadou, 2018).

The survey asked Gambians what they consider the two most important outcomes they expect from the TRRC's work. Responses show considerable diversity in public expectations. The most frequently cited expected results from the TRRC's work are national peace, reconciliation, forgiveness, and healing (34%); accurate records of human-rights abuses of the past regime (30%); and prosecution and punishment of persons found guilty of crimes against humanity (28%) (Figure 2). Fewer respondents focus on specific remedies and reparations for victims, although taken together these make up the largest proportion of responses, including supporting victims and their families to overcome long-held pain (16%), returning seized property (12%), offering monetary compensation (8%), offering non-monetary compensation such as free education and medical care (5%), and offering proper burial for victims (2%).

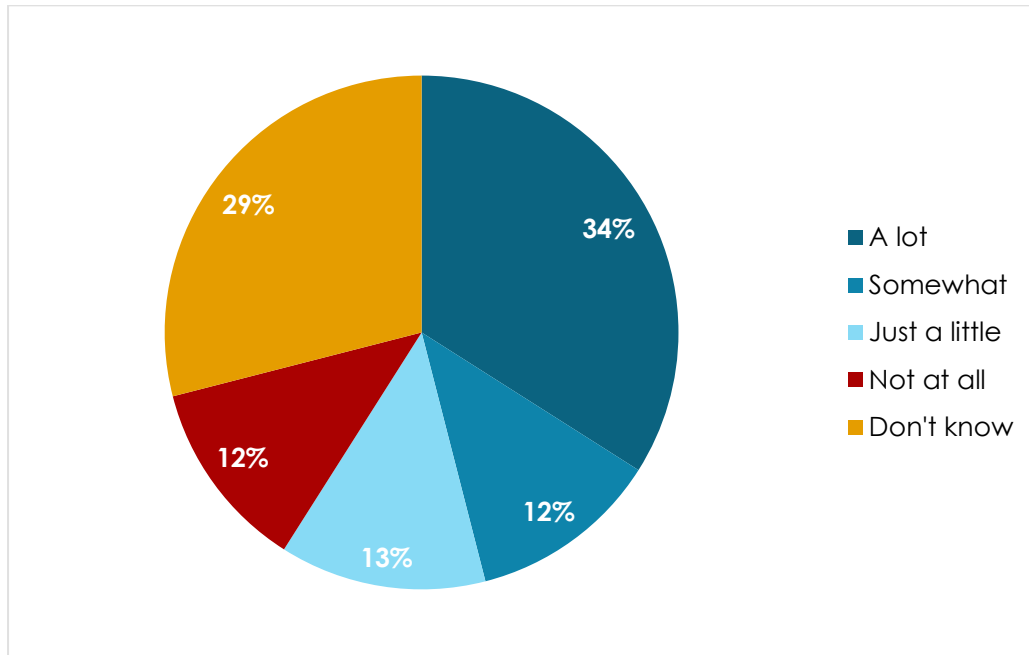
Figure 2: Expectations of the TRRC | The Gambia | 2018



Respondents were asked: People have different expectations about the outcome of the work of the Truth, Reconciliation and Reparations Commission (TRRC). Please tell me the two most important outcomes you expect from the commission's work? (Respondents could give up to two responses.)

While facing a variety of citizen expectations, the TRRC will also have to work to earn the public's trust: Fewer than half of Gambians say they trust the commission "somewhat" (12%) or "a lot" (34%) (Figure 3). One in four say they trust the TRRC "not at all" (12%) or "just a little" (13%), while almost three in 10 (29%) say they don't know or refused to answer the question.

Figure 3: Popular trust in the TRRC | The Gambia | 2018



Respondents were asked: How much do you trust each of the following, or haven't you heard enough about them to say: The Truth, Reconciliation and Reparations Commission (TRRC)?

Among key institutions in the country, the TRRC and the Constitutional Review Commission (both trusted "somewhat" or "a lot" by 46% of the population) are two of the least trusted, ahead only of opposition political parties (38%), and more than 20 percentage points behind religious leaders (85%), traditional leaders (71%), and the president (67%) (Figure 4).

Weak trust in the TRRC may reflect the perceived political nature of the commission. Unlike many truth commissions in Africa, the Gambia's TRRC did not grow out of peace accords or political agreements but stemmed from a campaign promise by President Barrow.

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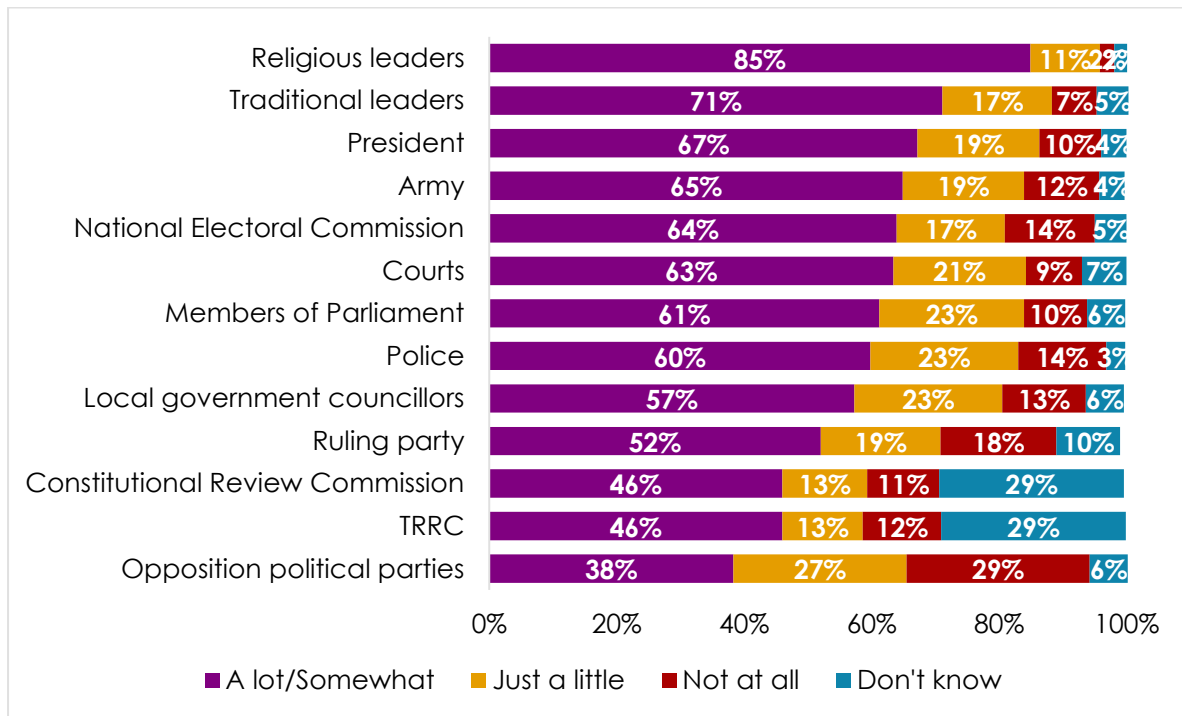
Hence, opposition supporters may have less interest in the process or even see it as a political weapon against Jammeh.

The low trust level in the TRRC and the fact that three in 10 citizens do not know whether or not they trust the TRRC may also be linked to the low level of citizens' awareness of the

commission's mandate and operations. The commission may thus have more of a public education problem than a trust challenge.

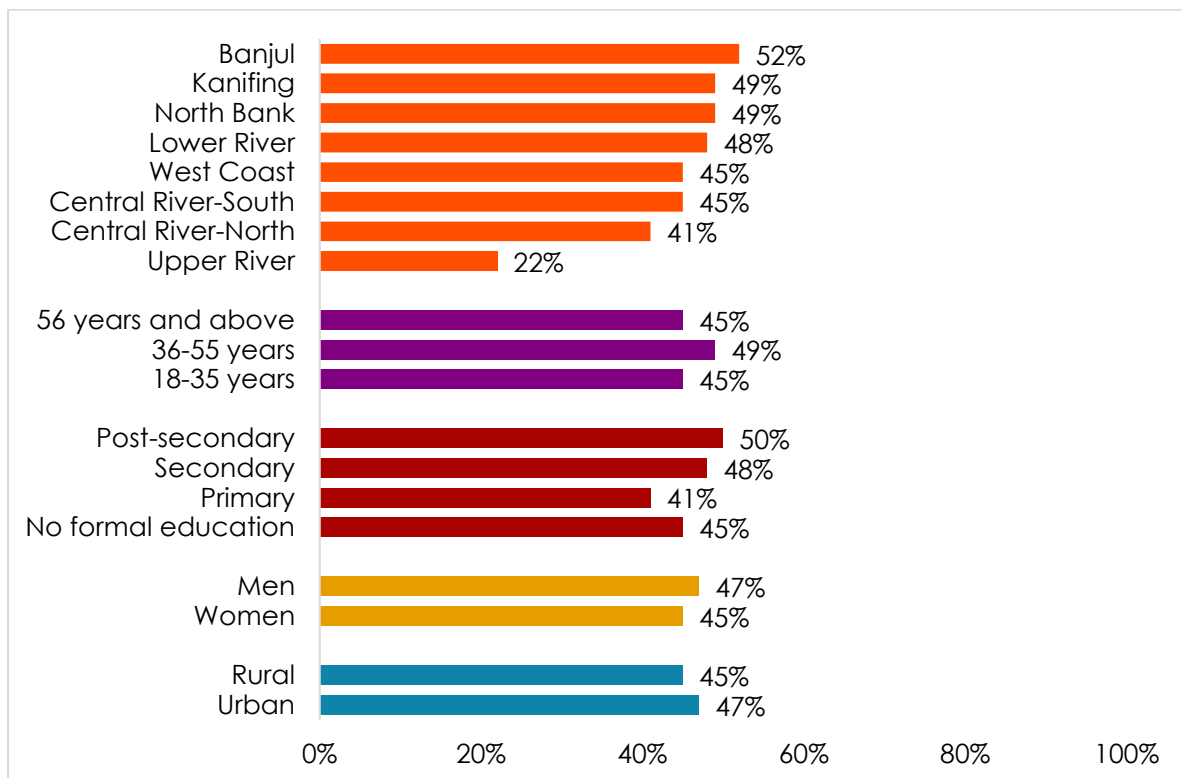
The TRRC is most trusted in the Gambia's capital of Banjul (52% say they trust the commission "somewhat" or "a lot") and least trusted in the Upper River region (22%) – the most distant region from the capital (Figure 5). Men and women hold similar views, as do urban and rural residents. Respondents with post-secondary (50%) or secondary (48%) education are somewhat more likely to trust the TRRC than citizens with less education.

Figure 4: Popular trust in key institutions | The Gambia | 2018



Respondents were asked: How much do you trust each of the following, or haven't you heard enough about them to say?

Figure 5: Popular trust in the TRRC | by socio-demographic group | The Gambia | 2018



Respondents were asked: How much do you trust each of the following, or haven't you heard enough about them to say: Truth, Reconciliation and Reparations Commission?

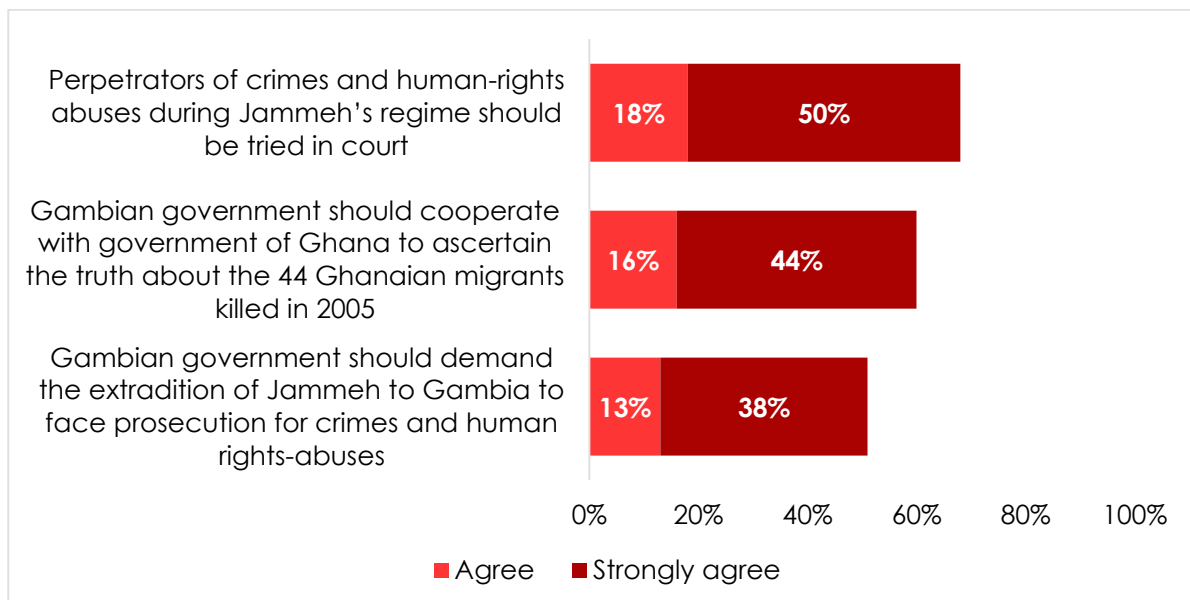
Jammeh to justice?

Seven of 10 Gambians (68%) say perpetrators of crimes and human-rights abuses during Jammeh's regime should be tried in court, irrespective of the work of the TRRC (Figure 6). This is in line with the TRRC's objective of bringing those responsible for the greatest crimes to justice.

Among crimes that drew international attention was the 2005 killing of 44 Ghanaians and several other Africans who were trying to migrate to Europe but were suspected of being mercenaries aiming to overthrow Jammeh. Although a United Nations/Economic Community of West African States team in 2009 attributed the killings to "rogue elements" in the Gambia's security services, new evidence reveals that the migrants were killed by "Junglers," a notorious paramilitary unit under Jammeh's control (Human Rights Watch, 2018). Survivors and families of the victims and Ghanaian and international civil society organizations have launched the #Jammeh2JusticeGhana campaign with the goal of convincing the Ghanaian government to seek extradition of Jammeh, who has been living in exile in Equatorial Guinea since shortly after losing the December 2016 presidential election, and trying him for the killings (Oduro, 2018). Six in 10 Gambians (60%) agree – including 50% who "strongly agree" – that the Gambian government should collaborate with the government of Ghana to ascertain the truth about the 44 Ghanaians killed in the Gambia.

Despite the strong support for bringing human-rights violators to justice, Gambians are divided as to whether Jammeh should be extradited to the Gambia for prosecution. Half (51%) say the former president should face prosecution in the Gambia, while 38% disagree and 12% neither agree nor disagree, don't know, or refused to answer the question. Although the Gambian government has said it will seek Jammeh's extradition if the TRRC recommends it, some Gambians may be concerned about security risks as the former president still has some support in the country.

Figure 6: Bringing perpetrators to justice | The Gambia | 2018

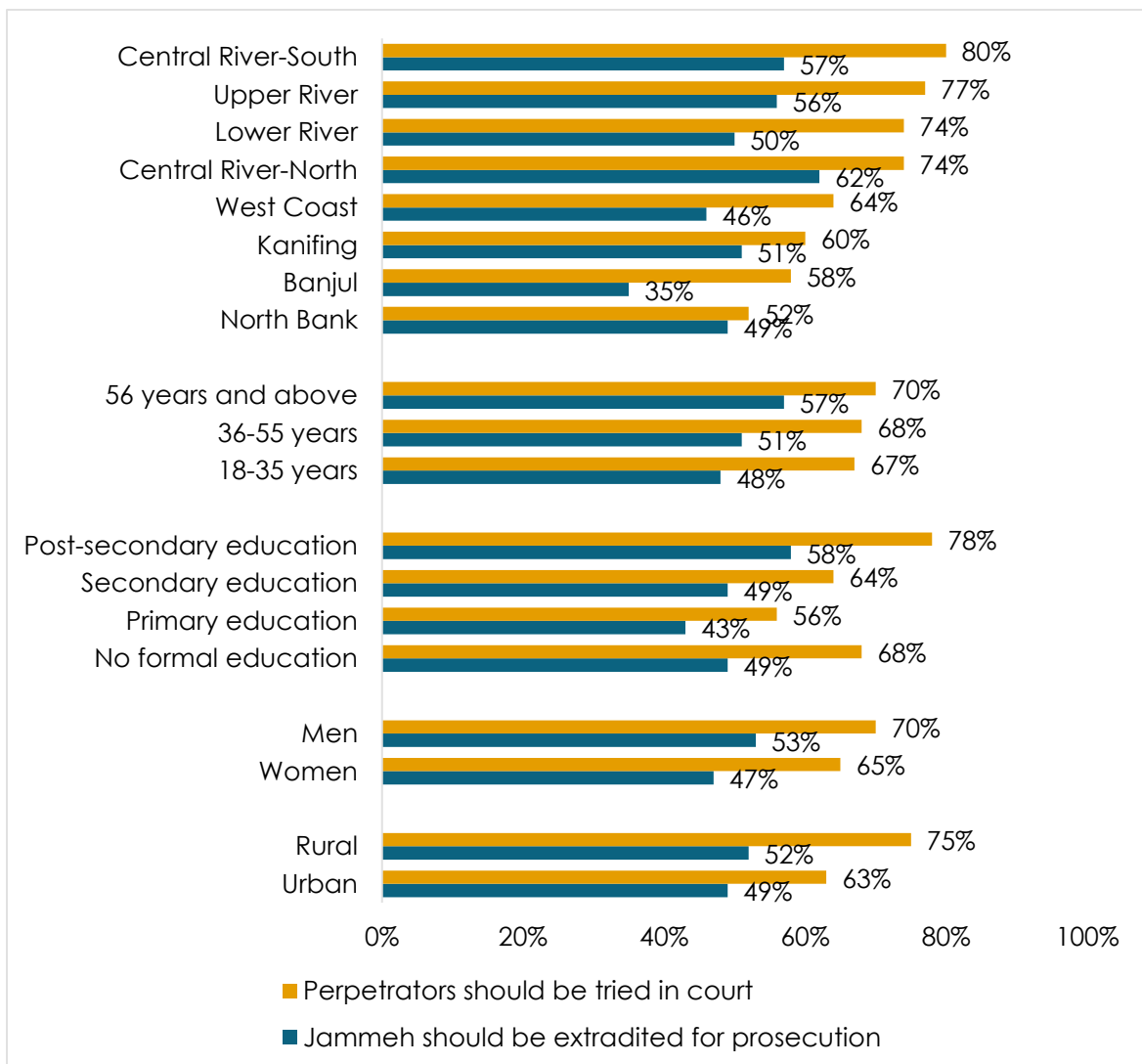


Respondents were asked: For each of the following statements, please tell me whether you disagree or agree or haven't you heard enough to say?

In general, support for these measures tends to be somewhat stronger among men, rural residents, older citizens, and respondents with a post-secondary education than among

women, city dwellers, younger citizens, and less-educated respondents (see Figure 7 and Figure 8). The regions vary in their responses. Demands for the prosecution of perpetrators and the extradition of Jammeh are strongest, respectively, in the Central River-South (80%) and Central River-North (62%) regions. These two regions, which have large Mandinka communities, were Jammeh strongholds until 2016, when he is reported to have insulted and threatened to kill Mandinkas (Jollof News, 2016). Calls for the Gambian government to cooperate with the government of Ghana to find the truth about the killed Ghanaian migrants are most common among residents of the Lower River region (71%), known traditionally for its opposition to Jammeh.

Figure 7: Support for trying perpetrators in court and extraditing Jammeh
 | by socio-demographic group | The Gambia | 2018

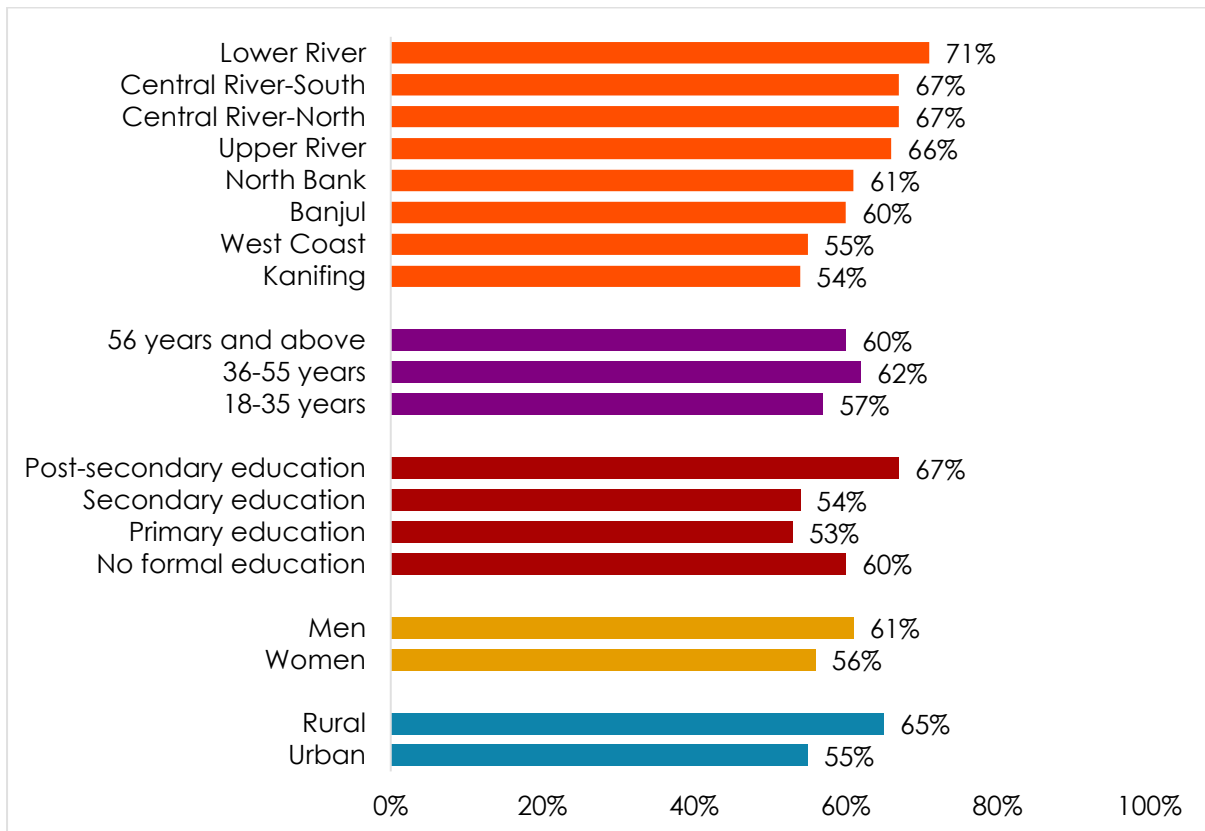


Respondents were asked: For each of the following statements, please tell me whether you disagree or agree or haven't you heard enough to say:

- Irrespective of the work of the Truth, Reconciliation and Reparations Commission (TRRC), perpetrators of crimes and human-rights abuses during President Yahya Jammeh's regime should be tried in court?
- The Gambian government should demand the extradition of former President Yahya Jammeh to Gambia to face prosecution for crimes and human-rights abuses?

(% who "agree" or "strongly agree")

Figure 8: Support for Gambia-Ghana cooperation to find truth about killed Ghanaian migrants | by socio-demographic group | The Gambia | 2018



Respondents were asked: For each of the following statements, please tell me whether you disagree or agree or haven't you heard enough to say: The Gambian government should cooperate with the government of Ghana to ascertain the truth about the 44 Ghanaian migrants killed in 2005 during Yahya Jammeh's regime? (% who "agree" or "strongly agree")

Conclusion

Despite controversy and opposition claims that it is a "witch hunt" aimed at Jammeh, many Gambians expect the TRRC to help reconcile the country while ensuring that justice is served. More than one-fourths of the population carry the wounds of human-rights abuses under the previous regime, and an inclusive and participatory process is needed to help the nation heal. Religious and traditional leaders, the most trusted institutions in the country, could be engaged in the process and be instrumental in the national reconciliation drive. Building public trust in the process will be vital to encourage cooperation and achieve lasting results.

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Afrobarometer is produced collaboratively by social scientists from more than 30 African countries. Coordination is provided by the Center for Democratic Development (CDD) in Ghana, the Institute for Justice and Reconciliation (IJR) in South Africa, the Institute for Development Studies (IDS) at the University of Nairobi in Kenya, and the Institute for Empirical Research in Political Economy (IREEP) in Benin. Michigan State University (MSU) and the University of Cape Town (UCT) provide technical support to the network.

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