

**IN THE HIGH COURT OF THE GAMBIA**

CS No. HC/186/16/mf/048/14

BETWEEN:

**EBRIMA SOLO SANDENG**

...

**APPLICANT**

**AND**

**INSPECTOR GENERAL OF POLICE**

...

**1<sup>ST</sup> RESPONDENT**

**NATIONAL INTELLIGENCE AGENCY (N.I.A)**

...

**2<sup>ND</sup> RESPONDENT**

**COMMISSIONER OF PRISONS**

...

**3<sup>RD</sup> RESPONDENT**

**THE ATTORNEY GENERAL**

...

**4<sup>TH</sup> RESPONDENT**

**IN THE MATTER OF EBRIMA SOLO SANDENG**

**AND**

**IN THE MATTER OF AN APPLICATION FOR A WRIT OF HABEAS CORPUS**

**ADDITIONAL AFFIDAVIT IN SUPPORT OF SUMMONS**

**I, NOGOI NJIE** currently detained at the Central Prisons at Mile 2, Businesswoman and of Gambian nationality make oath and say as follows:

1. I am the deponent herein and I swear to this affidavit in support of the summons for the issue of a Writ of Habeas corpus ad subjiciendum in respect of Ebrima Solo Sandeng.
2. The facts deposed to in this affidavit are matters within my own knowledge.
3. On the 14<sup>th</sup> day of April, 2016, I decided to travel to Banjul to get some medication for my mother who suffers from diabetes and hypertension.
4. I took a taxi and got down at Westfield junction to get another taxi van to Banjul when I saw a group of people by the said junction one of whom I recognized as Ebrima Solo Sandeng. I asked him what was happening and he told me that they were requesting for certain changes to be done and I

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further asked whether they were doing so in the street and he answered "yes". I then bought a bottle of water nearby and asked a young boy to get me a seat in one of the taxi's to Banjul.

5. As I waited, some Police Intervention Unit (PIU) officers came and hit me on my back saying to me that I was running away. When I was about to explain to them why I was there, one of the PIU officers whom I can identify facially started beating me. He then asked me to climb into a truck that was nearby. I asked him "what have I done to climb onto the truck, I cannot climb." I was then carried into the truck by some PIU officers and taken amongst others to the PIU Headquarters in Kanifing.
6. I, amongst others were brought down from the truck and taken into a room. I was the first to be called out of the room and put in handcuffs. I was then taken directly to the National Intelligence Agency (NIA) Headquarters. I was taken to the NIA Headquarters in a double cabin pick up together with one Modou Ngum in the company of two PIU officers. Upon arrival at the NIA, 2 other pickups followed. One of the pick-up vehicles had Ebrima Solo Sandeng alone. The third pick up transported Ebrima Jabang and Kafu Bayo.
7. We were all in Handcuffs. Photographs were then taken of us at the said headquarters. Thereafter I was asked in the wolof language by a man unknown to me but who was being called by the name James at the NIA Headquarters; "**What Political Party do you support?**" I then answered "That is not what I am here for. You should be asking me my name, where I am from and what has brought me here." The said man then asked me "What brought you here" and I said to him "I do not know". He then said to me "You do not know it now but by the time we are ready with you, you will know."
8. He then took me into a room and a lady was called in and I was asked to remove my Clothes for her to examine me. I then asked what they are looking for by which time some other NIA Officers including James were also in the said room. One of them then said that they were looking for the things I was carrying at the Westfield junction and I said to them I was

carrying nothing except my money which dropped when I was being put into the truck.

9. I lifted up my top clothing except my wrapper and a body search was carried out on me by the said lady who was earlier called. I was then asked whether I had any charms on me. I answered in the affirmative. I started to remove them when James asked the lady to use a knife to cut them off me. When the lady cut the charms, I was asked to remove my earrings and taken into another room and then another. In the 3<sup>rd</sup> room I was taken to, I found two men and a woman there. They asked me my name and where I was from. I was then asked whether I was a supporter of the APRC or the UDP. I told them that I was not there for that. A well-built fair coloured man came into the room and said to me "Here, you either say something clear or we will show you that we have drunk more pepper than you." While he said this he placed his finger on the top side of his head as a gesture.
10. I was then asked what I know about the issue at hand and I said "I know nothing about it." The fair coloured man came back into the room and again repeated his earlier statement. He left and then returned with the said James and James asked me to follow him which I did and on the way we met a young man who was asked to take me with him.
11. I followed the young man and we got to a white storey building and there I saw some people in a room downstairs. The young man then said to them "She is here". When I looked at them they were fully clothed in black wearing black hoods and gloves. All I could see were their eyes. I became very much afraid and as soon as I shouted they surrounded me and grabbed me, put a rope around one of my legs and pulled the same tight as a result of which I fell down. I resisted and struggled with them to avoid my other foot being tied and that was when the mask on one of the men came off.
12. I held onto a NIA officer named Sheikh Omar Jeng alias Sir Jeng who was present and asked him to help me so that I won't get killed and he said to them "leave her alone, I will bring her, you go." They then left me and waited aside while I sat down at the bottom of the stairs of the said storey

building holding onto Sheikh Omar Jeng asking him to help me so that they won't kill me. He then pulled me up and walked away with me when the said men in mask started shouting out that they will not take this nonsense from Sheikh Omar Jeng and that he should allow them to take me. One of them then took hold of my middle left finger and bent it until it broke. My finger is still swollen and I have not been given any medical treatment for it. One of them then said to me "Will you go or not" and I said "Yes but I am afraid of you". Another one said "Don't waste time because a lot more are coming". That was when they jumped on top of me and tried to remove my clothes and when I resisted they pulled my clothing and tore it removing same from my body. I was left naked except for a short wrapper I wore underneath my clothing.

13. They then took me to a building containing rooms and I sat on the ground by the said building. I was asked to enter into one of the rooms and then one of them said to me "Here you will cry until your mouth tears up and no one will hear you".
14. I got into the room and found three men inside again fully clothed in black with black hoods and gloves. They asked me to lie down on a table and when I did they started beating me continuously like an animal for long time. Probably for about an hour, however I can't tell what time it was. My whole body was damaged and bleeding. Suddenly I heard some people in the next room shouting the word "Excuse". An adjoining door was then opened and I was pushed into the next room. In there I saw more than 10 men in plain clothes including James and from there I was moved to the next room again through an adjoining door.
15. In that room, I found some elderly men sitting around on benches. They asked me what my name was and where I was from and I told them. They then asked me what political party I support and I replied again that I wasn't brought here for that. They then said that they need to know and that was when I told them that I am an opposition supporter. They asked me which of the political parties and I said "UDP". The old men then said that they want me to come over to their own party and I asked them which party. They then said "Yaya Jammeh's party." I then said to them "So you are members of Yaya Jammeh's party" and they answered "yes". I then said

to them "you beat me mercilessly and now you want me to join your party". One of them who was black in colour then said to me "Do you see us with whips, we did not beat you". I then said to them; "You know who beat me and where the beating came from. You gave the orders for me to be beaten".

16. The old man then asked me to follow James out of the room and while leaving the room the old men who sat on the benches began hitting my back side asking me whether I had beads around my waist and I told them to ask their wives. James and the old man took me to a small cell which had been urinated in as I could smell the stench coming from the cell. They called a young man short in height and asked him to open the cell which was locked with a key. The cell was opened and I was pushed in and asked to sit by the men inside. There I found Modou Ngum, Kafu Bayo and Ebrima Jabang. I was the first person who was beaten.

17. **We sat there for about 5 minutes and then they brought in Ebrima Solo Sandeng. They had already beaten him. His body was all swollen and he was in severe pain. I then asked him to come closer to me away from the urinated area and as he laid flat on the ground I bent down and started to massage his head and body. His body was bleeding all over. He then started to sleep and I sat up.**

18. **A few minutes later, barely five minutes, the cell was opened and someone called out at Solo. He woke up and answered. He was then asked to come out of the cell which he did and was taken away and a few moments later I heard and recognized the voice of Solo screaming.**

19. Three men including James came back to the cell and called me out and asked me to come out which I did. A fourth man, very tough and tall who had a scarf tied around his head then asked to take me away. **In fact he was the one who collected Solo from the cell.** He attempted to tie my eyes and I resisted telling him that it was night time and so he should not tie my eyes. He then said to me that he did not want me to know where they were taking me to and I said to him there is no need to tie my eyes because those he is taking me to I can see them standing over there.

20. As we walked away from the cell I saw a table in an open area surrounded by seven men three of whom were fully clothed in black wearing hoods and gloves. The said tough guy who was taking me then stopped and said to them in mandinka that he had brought them an onion and they responded that he should put me on the table so that they can break the onion in two. I then said to them that I was not an onion but a human being like them and an age mate of their mothers. They ask me to lie down on the table but I refused.

21. I then saw Solo lying on the Bahama grass next to the table flat on the ground badly beaten and bleeding profusely. I then shouted the name of God and called out to Solo. In fact at that moment I thought he was dead. He did not respond to my call. I then saw his head moving from one side to the other.

22. They then started beating me with hose pipes and batons while pouring water over me. I was still wearing my short wrapper then and even when I fell they continued beating me and ask why I was mentioning God there. I again called out to Solo but he did not respond. He was completely naked just the way his mother gave birth to him. They continued beating me and when the water got finished they brought some more. The beating continued until early hours of the morning of 15<sup>th</sup> April, 2016. During intervals of beatings they would ask me why am I supporting the opposition and when I answer they would use both their hands to slap me on both my ears simultaneously.

23. After the beating I could not get myself off the ground. The people who beat me were fully clothed in black and were behaving and jumping around like monkeys and from the stench coming from them I believe they were highly drugged. Two men on either side of me carried me and then one of those in full black clothing with a hood on and gloves asked them to leave me and as they did I fell down to the ground. During this time they had picked Solo up and carried him behind the building and I could hear him moaning while they resumed beating him. I tried to get up when the said guy in the hood slapped me again simultaneously on both my ears. Then the old man who had accompanied James to get me from the cell said to the guy in the hood "Leave her alone, don't kill her" and he shouted back

"leave me, this is my job". A dispute then arose between them and the others began to mediate. The same men who earlier helped me again helped me up and carried me. They took me to an open room like a parlour where I found Fatoumata Jawara and Fatou Camara. I then asked them whether they were also brought to the said parlour and they said yes after they had been beaten. This happened on Friday the 15<sup>th</sup> day of April, 2016. Later that day three sheep were brought into the said headquarters and given to these men. They slaughtered the sheep and had a barbecue rejoicing in celebration I believe of what they had done to us.

24. The following day they brought us sponge mattresses to lie on. A while later Fatoumata Jawara fainted and Fatou Camara was having problems breathing. I then pulled them towards me and started crying and asked them to be brave. There was a young man at the gate close to where we were.
25. The young man then called Sir Jeng to tell him that we were not feeling well and Sir Jeng in turn called one Dr Sanyang who came to check us after which he told Sir Jeng in our presence that I had High Blood Pressure and Diabetes while Fatou Camara had breathing problems and Fatoumata Jawara also had a medical problem. The said Doctor went on to tell Sir Jeng that if we are touched again and anything happens to us they will be responsible. At the time all the three of us could not even walk.
26. Sheikh Omar Jeng (Sir Jeng) with the help of others then took us to the NIA clinic within the headquarters and locked us up in there. The doctor prescribed some medication for us and cream to heal our wounds. They started giving us medication as well as massaging us with hot water with the help of four women who in two's took it in turns morning and evening to guard us in the said hospital. On this day the NIA officers were given a cow to cook and enjoy themselves. Benachin was cooked and a bowl was sent to us but we refused to eat the food.
27. After a week we were given clothing by Sir Jeng to wear which are now wearing because they had torn all our clothing. He said to us that he has a lot of sympathy for all of us. He further stated that he was in charge of the NIA but the instructions to torture us came from above and as such he

could not do anything about it. I then said to him "You are the boss here and people were brought into your house to torture us, yet you say you are the boss. What you are saying is very interesting. If this is so then you are useless here"

28. Thereafter we were being taken care of and they started treating us nicely like a child you beat and then give him or her sweets or biscuits to coax to a point that I told Sir Jeng that all these nice things he was doing with the aim of pleasing us was immaterial.

29. After remaining in the clinic for more than a week we were moved to a cell at NIA and thereafter taken to Mile 2 Central prisons and brought to Court the 4<sup>th</sup> day of May, 2016. Ebrima Solo Sandeng was however not brought to court.

30. I make the above statement to the best of my knowledge information and belief.

SWORN BY THE SAID **NOGOI NJIE**  
AT BANJUL

This 11<sup>th</sup> day of May 2016 this statement having been first read over to her in the Wolof language, which she seemed perfectly to understand and made her mark hereto in my presence.

BEFORE ME

A COMMISSIONER

**DODOU MANNEH**  
**NOTARY PUBLIC**  
**HIGH COURT OF THE GAMBIA**  
SIGN  DATE 11 / 5 / 2016

  
.....  
DEPONENT