



AFRICAN BAR ASSOCIATION

ASSOCIATION DU BARREAU AFRICAIN

نقابة المحامين الافارقة

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PRESS STATEMENT

The attention of the **African Bar Association (AFBA)** has been drawn to the petty falsehood being spread by the President of the Gambian Bar Association in the social media that the African Bar Association did not support it but choose to support former President Yahya Jammeh during the disputed 2016 Elections in Gambia which was won by current President Adama Barrow. Without meaning to join issues with the infantile President of the Gambian Bar Association in his quest to enthrone falsehood, the African Bar Association wishes to respectfully present the facts as follows:

(1) The African Bar mandate to move to The Gambia and mediate between the parties was obtained at the plenary of the 2016 Annual Conference in Harare, Zimbabwe, where similar mandates were also given for the Association to mediate in Burundi, Gabon and Cameroun, these other assignments have been successfully carried out without problems or falsehood perpetrated by Lawyers of those Countries instead we sought and obtained co-operation of the Lawyers in these Countries with outstanding results that eventually benefited the Bar Association or some of their Lawyers. The facts about Gambia are very simple.

(2) The mediation team arrived and first sought audience with the Gambia Bar Leadership to intimate them with the mission but the Gambia Bar sent a message that AFBA should first condemn the then sitting President Yahya Jammeh before they can discuss with the team.

(3) The AFBA mediating team disagreed and argued that the principles of mediation does not accept that judgment should be passed before hearing both Parties and others concerned which is also a principle of justice in our Legal Lexicon.

(4) Despite several persuasions, the Leaders of the Gambian Bar refused to meet with the team.

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(5) The team next day met with then President Yahya Jammeh and among things said it was in Gambia to mediate in the impasse concerning the just concluded elections in Gambia which had generated disagreement but that it had not taken a position until it had heard from both Parties concerned and sought the permission to meet with the President-Elect and the opposition parties. The team stressed the need for peace and that the African Bar Association did not support Military intervention in Gambia or a blow out civil conflict.

(6) The next day, the team **met with the then President-Elect, now President Adama Barrow** in the presence of several opposition Leaders and the opposition spokesman. The team thereafter presented a gift to President Barrow and stated its mission stating categorically that AFBA was not interested in the Politics of Gambia but in a peaceful handover of power. AFBA categorically told President Adama Barrow and his team that because mediation are not done in the front of the press camera, it had told Mr. Jammeh that he must handover power by January 19 when his constitutional tenure would end, but that if he felt aggrieved then he should employ constitutional means rather than staying in power which would be illegal, unjustified and which AFBA will not support.

(7) The team went on to inform President Barrow that Mr. Jammeh was concerned about rumours making the round that he will be taken to the International Criminal Court and other threats against him, his family and property.

(8) The team told President Barrow that they assured Mr. Jammeh that they would discuss this with the President-Elect and the opposition and requested to know from the then President-Elect and his team whether they were in fact planning to take the actions against Mr. Jammeh and the need to stop inflammatory remarks in order not to aid Mr. Jammeh to dig in on the crisis and remain in power.

(9) The spokesman for the opposition assured the team that they did not authorize the statements and in fact distanced themselves from it and urged us to give the message to Mr. Jammeh that the President-Elect or the opposition coalition has not adverse plan towards him after he leaves power and he is free to enjoy his post-power days anywhere in Gambia.

(10) The opposition fully briefed the AFBA team and a lot of confidential information were shared to aid smooth mediation and transition of power.

(11) The AFBA team next met with the Leadership and members of the Electoral Commission of Gambia to hear their side of the story, Mr. Jammeh having accused them of bias against him. The meeting was cordial and very informative and the team shared information and gave useful advise on how to resolve the logjam before departing to meet with some other senior Lawyers and civil society organizations.

(12) Lastly, the team returned to President Yahya Jammeh to relay the opposition's assurances of his safety and well-being and requested that he now meet face to face with the opposition for national reconciliation and talks on the transition plans. While Mr. Jammeh was happy to receive the Goodwill messages of President Adama Barrow and the opposition, he however cited threats directed at him by ECOWAS and a letter of threat written to his wife by a foreign Government (name withheld).

(13) The team however urged Mr. Jammeh to set aside those issues and focus on peace in his Country and peace with fellow Gambians. The team urged him to set a date for the face to face meeting with President Barrow and his team to which Mr. Jammeh replied that he will consult and get back to us early in January, a position we passed on to the opposition.

(14) The AFBA team departed after spending three (3) busy days in Gambia, planning to return in January. Unfortunately, after the team's departure, things began to deteriorate in Gambia and the team could not return as no flights were now entering into Gambia.

President Adama Barrow and the opposition spokesman and others are alive. Members of the Gambia Electoral Commission are alive.

The Gambian Bar Association through its Leadership never participated in the talks. While they show the video of when the delegation met with Mr. Jammeh, what of the videos with President Barrow and the Coalition team? Gambia Bar President, please be guided and stop blackmailing the African Bar Association.

Your efforts to win an argument by intimidation is laughable because you will achieve nothing by this. Those concerned are alive and they know what AFBA did or did not do.

Heredia Siki (DRC)

Press Officer