

PRESS RELEASE

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Germany/Gambia: Migrant Massacre Survivor to Testify

Alleged Gambian 'Death Squad' Driver's Trial Progresses

(Berlin, January 19, 2023) A Ghanaian citizen who survived the massacre of approximately [59 West African migrants](#) in July 2005 by a paramilitary 'death squad' in Gambia will testify before a court on 19 January 2023 in the German city of Celle, ANEKED, Human Rights Watch, the International Commission of Jurists, the Solo Sandeng Foundation and TRIAL International said today. The death squad was allegedly set up by the then-Gambian President Yahya Jammeh. The trial is of Bai L. who was allegedly involved in the killings.

Along with a group of other West African citizens, including from Ghana, Nigeria, Senegal, Ivory Coast and Togo, [Martin Kyere](#), the Ghanaian who will testify, was [arrested](#) by the Gambian security forces in the city of Barra in July 2005. [Jammeh](#) apparently suspected that the migrants were mercenaries plotting a coup against him and is alleged to have ordered the "[Junglers](#)" death squad to kill the migrants. Only Kyere managed to escape and he has since been rallying the victims' families and demanding justice.

"Myself and all the families of the victims are praying every day for the perpetrators of the 2005 massacre to be brought to justice" said Oduro Mensah, brother of a Ghanaian victim of the massacre. "Martin's testimony is very important because it will contribute to shedding light on the events that took my brother away from me".

In March 2021, German authorities arrested Bai L., an alleged member of the Junglers who was living in Hannover. His [trial](#) began on April 25, 2022 and is expected to come to a close soon. This is the first trial based on [universal jurisdiction](#) judging atrocities committed during Jammeh's rule. Another alleged Jungler, [Michael Correa](#), was indicted in the United States in June 2020. Correa faces charges of torturing detainees following an attempted coup in Gambia in 2006. In Switzerland, an investigation against former Interior Minister [Ousman Sonko](#) for crimes against humanity has been ongoing since his 2017 arrest.

This trial of Bai L. is possible because Germany recognizes universal jurisdiction over certain serious crimes under international law, allowing for the investigation and prosecution of these crimes no matter where they were committed, and regardless of the nationality of the suspects or victims. [German authorities have been leaders](#) in prosecuting universal jurisdiction cases, the human rights groups said.

[German prosecutors accuse Bai L.](#), as a Jungler, of driving his accomplices to various crime scenes between December 2003 and December 2006. He is accused of involvement in the murder of Deyda Hydara, a journalist and co-founder of the Gambian newspaper the Point; the murder of Dawda Nyassi, a perceived opponent of the former president; and the attempted murder of Ousman Sillah, a lawyer. In its final [report](#), the Gambia's Truth, Reconciliation and Reparations Commission (TRRC) called for Bai L.'s prosecution in connection with the Hydara and Sillah cases, as well as in the murder of the West African migrants in 2005. Bai L. himself provided details about these events in [2013](#) and [2014](#) radio interviews.

In October 2022, Bai L. [offered a statement](#) for the first time since the beginning of his trial, in which he asserted that the details shared on these murders during the 2013 and 2014 interviews were based on elements narrated to him by others, and that he had not been part of the Junglers.

Other witnesses who testified thus far included [German investigators](#); former Gambian soldiers; the [German asylum judge](#) who interviewed Bai L.; and [Ida Jagne](#) and [Nian Sarang Jobe](#) who were both passengers in the car Deyda Hydara was driving when he was killed. Pap Saine, co-founder with Deyda Hydara of the Point newspaper; as well as journalist [Baba Hydara](#), son of Deyda Hydara; Fatou Sillah, daughter of Ousman Sillah; and Omar Nyassi, son of Dawda Nyassi, also testified.

Dr. Peer Stolle, Kyere's lawyer, said that: "Martin Kyere's testimony is very important for the trial, because he is the sole known witness who survived the massacre. His statement will illustrate once again the widespread nature of the attack against the civilian population as ordered by President Jammeh and executed by the Junglers."

Jammeh's 22-year rule was marked by systematic oppression and widespread human rights violations, including torture, extrajudicial killings, enforced disappearances, and sexual violence against actual and perceived opponents. Although the killing of these migrants is one of the deadliest atrocities committed during Jammeh's regime, their families are still waiting for justice and accountability. Kyere's tireless [commitment](#) to truth and justice led him to [travel across Ghana](#) to find the families of the people who had travelled with him, which shed light on the massacre.

Jammeh-era officials allegedly [obstructed](#) past attempts to investigate the massacre, including the [joint-investigation](#) by the United Nations and the Economic Community of West African States (ECOWAS) in 2008.

The "Jammeh2Justice" campaign, made up of victims of the former regime and Gambian and international activists, has said that the government [should take](#) concrete steps to bring Jammeh and his accomplices to justice.

The Gambian attorney general Dawda Jallow and ECOWAS President Omar Touray recently began [discussions](#) about creating a hybrid court "for the prosecution of human rights violations by and under former President Jammeh." The government has also announced plans to create a special prosecutor's office to prepare evidence for trial.

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