



THE GAMBIA - Deyda Hydara

The death of a journalist under surveillance



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Trapped in its own absurd hypotheses, the official investigation into the murder of Deyda Hydara has gone nowhere. Reporters Without Borders has tried to shed some new light on the case in this report. Our enquiries show that Hydara, the co-founder and editor of the independent newspaper *The Point*, had not only received death threats from individuals who he thought belonged to the National Intelligence Agency (NIA) but also that he was under surveillance, almost certainly by the security forces, a few minutes before his murder.

Five months have gone by since Hydara, who was also the correspondent of *Agence France-Presse (AFP)* and Reporters Without Borders, was fatally shot behind the wheel of his car in Kanifing, a district of Greater Banjul, on the night of 16 December. But those who murdered Gambia's most respected journalist are still at large. Indeed, there is no indication that they are being sought by the Gambian police. To get an update on the police investigation and to seek new information about the case, Reporters Without Borders sent a representative to Banjul and Dakar from 25 April to 4 May.

NIA director-general Daba Marenah publicly acknowledged the NIA's ineffectiveness in early March when he told Gambia's *Daily Observer* the NIA had asked their "American brothers" for "any information that we can gather concerning Deyda's death [which] will help us a lot. Until now, we cannot get from the public and from our own avenues anything leading to the death of Mr. Hydara." Indeed, Hydara's friends and relatives, witnesses of the murder and other sources are convinced the security services were involved and they have either fled the country, or refuse to talk, or do so only on condition of anonymity.

President Yahya Jammeh meanwhile continues to display hostility towards journalists, despite the political pressure. Denying any role in Hydara's murder in a TV interview on 23 February, he said: "We don't need to kill journalists. If they are bad, we take them before the courts." He added that there was "no independent press" in Gambia, just "propaganda organs and mouthpieces of the opposition" and he issued a warning to journalists: "If you write that Yahya Jammeh is a thief, you will have to prove



your allegations or else you will go to prison for libel."

A journalist who was being watched

2004 was already a trying year for Gambia's journalists before Hydara's murder in December. The climate had begun to deteriorate after the attempted murder of lawyer Ousman Sillah on the night of 26 December 2003. In its 6 January 2005 report entitled "Who killed Deyda Hydara," Reporters Without Borders detailed the serious incidents which its correspondent Hydara had reported during 2004. The "Green Boys," a clandestine group claiming to support President Jammeh, had made death threats firstly against Alagi Yorro Jallow, the editor of the biweekly newspaper *The Independent*, then Demba Ali Jawo, the president of the journalists' union, and finally *BBC* correspondent Ebrahima Sillah. Two arson attacks subsequently destroyed *The Independent's* printing press and the *BBC* correspondent's home.

There was no serious police investigation into these arson attacks, not even after an opposition parliamentarian revealed to the national assembly the names of two persons who were suspected of carrying out the attack on *The Independent* – both National Guard members. Finally, a drawn-out tussle with independent journalists that had gone on for several years was brought to an end by the government on 14 and 15 December when it got the national assembly to approve two laws that made deep inroads



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into press freedom. The following day, Hydara's murder stunned and horrified the entire press corps.

Hydara had been personally threatened. One of his close friends told the Reporters Without Borders representative that "a week before his death," when they were making a trip by car together, Hydara said: "They have told me they are going to kill me because of 'Good Morning, Mr. President' [Hydara's column in *The Point*]." The friend said he urged Hydara to change the name of his column or to do something else, but Hydara replied that he "didn't give a damn" and would not change anything. Another of Hydara's friends mentioned similar comments by Hydara a few days before his murder. At two meetings, on 13 and 15 December, Hydara referred to recent death threats he had received by telephone.

"He even constructed hypotheses about the place that would be chosen to attack him, thinking it would be outside *The Point* or outside his home in Kanifing," the source told Reporters Without Borders on condition of anonymity. His friend and partner at *The Point*, Pap Saine, told Reporters Without Borders a few days after his murder: "He was used to being threatened, by letter or by telephone. It had even become the subject of jokes." Police inspector general Landing "13" Badjie also referred to the threats when Reporters Without Borders met him at his headquarters in Banjul a week after the murder. He quoted Hydara as having said the threats came "from those who don't like what I publish." The two friends of Hydara both said he was convinced that these repeated threats came from the NIA.

Hydara also received threatening visits from disgruntled readers. One of his friends said that, on the afternoon before he was murdered, he had received a visit in his office from Kaba Jallow, the spokesman of the company GAMCO, who was furious about references to the company in the column called "The Bite." This source, who has since left Gambia, said: "I had Deyda on the telephone at the end of the afternoon. He told me he'd had a serious argument with Kaba Jallow."

In addition to being threatened, Hydara was also being watched, including on the day he was murdered. An eye-witness who Reporters Without Borders met in Bakau said that at around noon on 16 December, as he was about to take a taxi, he saw "a convoy of three cars"



race by on Kairaba Avenue, at the end of the street where *The Point* is located, heading in the direction of the crossroads where the Shell service station is located.

Speaking on condition he would not be identified, he said: "The convoy consisted of two pickups with tinted windows with a 4WD Pajero in the middle. I saw two soldiers in one of the pickups. I thought President Jammeh was going by, or something like that. In the evening, after the party organized by the management of *The Point*, I was on Garba Jahumpa road, outside the newspaper at the moment when Mr. Hydara was heading towards his car. At that moment, I saw a Mitsubishi pickup of the same kind I had seen earlier in the day. Its colour was dark and it had tinted windows, and it was parked outside the former Sabena airline building, on Kairaba avenue, a few dozen metres from *The Point*, with two men side. I don't remember seeing any licence plate."

It is not unusual in Gambia to see members of the president's office or the "State Guards" travelling in vehicles like the ones described by this witness. With tinted windows and no licence plates, the pickups carrying soldiers are Mitsubishi L200s. In the course of several trips past the national guard headquarters in Banjul, opposite the service entrance to the president's office and next to the Royal Victoria Teaching Hospital emergency entrance, the Reporters Without Borders representative spotted at least one light-coloured pickup of this kind, as well as several yellow and green taxis in the car park, among other, unmarked vehicles. Vice-President Isatou Njie Saidu was driven in a dark Pajero with tinted windows and no licence plates to a Slok Air plane on the Banjul international airport tarmac at 5:30 p.m. on 30 April. Her escort consisted of five or six armed soldiers in camouflage fatigues with MP ("Military Police") armbands and red berets in a black and grey Mitsubishi L200 pickup, also



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with tinted windows and no licence plates.

The day after the attempted murder of lawyer Ousman Sillah, the *Daily Observer* (which is owned by Amadou Samba, a businessman close to President Jammeh) quoted a neighbour as saying he saw “a green pickup with tinted windows” and no number plate parked not far from Sillah’s home. Also, when *The Independent* editor Abdoulie Sey was arrested by three NIA members on 19 September 2003, they were travelling in a black Pajero with no plates.

What had Hydara been writing when he was killed?

Hydara was clearly a journalist who upset people. He used to write two very popular columns in *The Point*. One, called “The Bite, with DH,” appeared in almost all issues of *The Point*, which is published three times a week. The other, called “D.H. says... Good Morning, Mr. President,” appeared every two weeks. Over the years, “DH” at the foot of a column had come to indicate a well-argued and critical analysis of Gambian society, one full of ironic insolence towards the country’s rulers and others in positions of power.

The “Good morning, Mr. President” column was undoubtedly the most popular of the two. Writing with great skill, often adopting a professorial tone, Hydara used to address the young president directly, offering his thoughts on national issues and the way the country was being governed. After opposition parliamentarian Hamat Bah named the two leading suspects in the arson attack on *The Independent*’s printing press, Hydara devoted most of his columns in September 2004 to this case. On 6 and 13 September, he asked President Jammeh, who had just returned from a trip abroad, to accord “urgent attention” to these reports and to ensure that the suspects were at least questioned by the police.

“This is very serious, Mr President,” he wrote in 6 September column. “We are told that your own collaborators prefer to keep to themselves vital technical advice for fear of being sidelined or sacked. If such a situation is allowed to continue, this country would sink further.” In his 27 September column, DH advised the president to delegate some of his many portfolios (defence, natural resources, energy, governance, population and AIDS) to free up time for “the very important work of supervision” which should be the president’s role.

On 11 October, “Good Morning, Mr. President” expressed concern about the leadership crisis within the ruling party. On 18 October, DH urged to the president to follow “the rule of law” after a senior official was arrested without a warrant during the day and “escorted” in “sandals and T-shirt” through the centre of the city. In mid-Ramadan, on 25 October, the column warned the president about the dangerous consequences of a clean-up campaign called “Set Setal” (in Wolof: “Be clean and make clean”), which inter alia banned the transport of sick persons to hospital. “Mr. President, empty slogans cannot work as what is needed is organization, coordination and a sense of direction to win people’s full cooperation,” the column concluded.

In November, “Good Morning, Mr. President” began to tackle business as well as governance issues. On 1 November, DH voiced surprise that the head of the state-owned Assets Management Recovery Corporation (AMRC), whose management was being investigated for corruption, had just been named to run the Gambian port authority. Hydara suggested that



President Jammeh should keep him at the AMRC until the investigation was completed. On 22 November, he called for order to be restored in the hotel trade following several scandals and criticised the “pernicious favouritism” in this sector. In his last column, published on 15 December, on the eve of his death, DH analysed the state of relations between Jammeh and the student union, and called on the president to respect their importance and independence.

More frequent but less political, “The Bite” also managed to irritate the Gambian authorities in the final weeks. Fatoumata Jahumpa-Ceesay, a close presidential aide and former head of his press department, on 8 December publicly expressed displeasure with a column entitled “Election Fever.”



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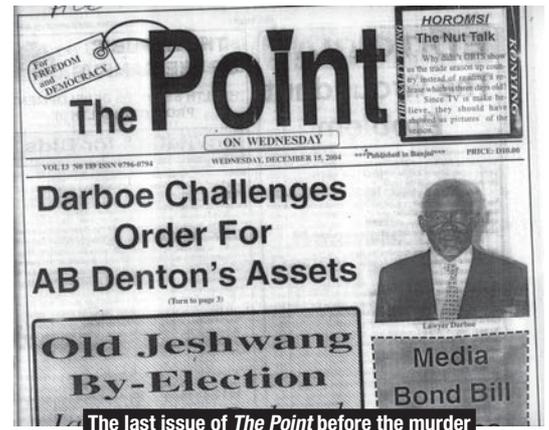
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“The Bite” had an approach to economic and social issues that was both more polemical and more technical than “Good Morning, Mr President.” The last of these columns, which appeared in the 15 December issue (on the eve of the murder) and was entitled “We Shall Prevail,” was used by this former journalists’ union president to attack the draconian press laws passed by the national assembly the previous day. He explained how and why Gambia’s privately-owned media would challenge the laws before the appropriate national and international bodies, and he called on information minister Amadou Scattered Janneh to resign to protect his “dignity,” because his attempts to keep a dialogue going between the government and press had been “betrayed.”

The column focussed in December on the problem of groundnuts, which are impoverished Gambia’s main source of income along with tourism. Before being ousted by the young Lt. Jammeh in 1994, President Dawda Kairaba Jawara’s former regime had prospered from groundnuts but the sector has since foundered. This is highlighted by the present state of abandon of the large groundnut processing plant by the sea between Bakau and Banjul. It is slowly rusting, while the country’s farmers have yet to adapt to the new, government-imposed method of managing the sector through the partially state-owned company GAMCO, which has an effective monopoly.

In his column on 3 December, Hydara was detailed and scathing in his criticism of reports that police had arrested farmers caught with more than one sack of groundnuts in violation of the government’s orders. He said Gambians now had a groundnut problem “on our hands” and asked if the government was not showing favouritism toward GAMCO.

Five days later, on 8 December, Hydara wrote in “The Bite” that he had been contacted by a “GAMCO defender” who wanted to respond to the criticism made in the column. But Hydara pressed on with his criticism, saying the farmers did not understand why a government that did not supply fertilizer or seeds could try to force farmers to sell their produce to one company and not another. Creating a kind of sketch, he quoted “one particular gentleman” as asking, “How can they tell farmers to only dispose of one or two bags of groundnut when fishermen are not asked to only sell one or two fish and no shopkeepers are asked to sell one bag of rice?” Another person commented that the 2004 season was a failure “as GAMCO has not got the money to cover the whole country.”



The next day, the government announced the postponement of the “groundnut season,” traditionally held between the harvest and the “trade season.” In the following issue, on 10 December, less than a week before his murder, DH wrote a blistering column in which the biggest section was given over to this issue. It began: “This is the first time in the history of the country that a groundnut season has been postponed. The trade season as we knew it since the colonial days was scheduled for 6 December and that day went by without any big noise around the seccos of the country. Why? There was no trade season!” Hydara methodically explained the probable reasons why the key groundnut season had failed that year, criticising GAMCO’s practices, wasted money and false arguments.

Suspicious about two suspects

Originally entrusted to the police, the investigation into Hydara’s murder was transferred in February to the NIA, whose agents have been the perpetrators or the leading suspects in all the press freedom violations in Gambia during the past 10 years. Two suspects have been arrested in the five months since Hydara’s murder and both were released after a few days. Neither was charged.

One of the suspects, Banjul resident Njaga Jagne, had openly manifested hostility towards Hydara after *The Point* covered a dispute between imams in the capital in a way he did not like.

The other suspect, Wally Mahmoud Hakim, a Gambian of Lebanese origin who also has US citizenship, owns a bar-restaurant at Senegambia Junction, is a friend of President Jammeh, and whose hostility towards *The Point* is well known. Hakim is also a contributor to the ruling Alliance for Patriotic Reorientation and Construction (APRC) and to



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the president's charity, the Jammeh Foundation for Peace. The day he was freed, after two weeks in custody, NIA director Daba Marenah told the government *Gambia Daily*, "Hakim remains the principal suspect among a lot of people already interviewed, including civilians and security officers." Hakim was detained after the NIA found firearms and ammunition at his home, including a rifle with a telescopic sight, a hunting rifle and a Magnum revolver, although he had permits. A silencer was also found. While he was in custody, the state-owned *Gambia Radio Television Service (GRTS)* showed pictures of his arsenal.

According to local sources, Hakim called *Daily Observer* managing editor Sheriff Bojang on the morning of 17 December rejoicing at Hydara's murder and requesting advertising space in the next issue "regardless of the cost" so that he could announce his death. His son, who was described to Reporters Without Borders by an acquaintance as an "impulsive, aggressive and unpredictable" young man, had gone to *The Point* the previous day to "buy advertising space." Thereafter he left for "10 years at least" of self-imposed exile in the United States, his father told the NIA.

Several of Hydara's friends said they immediately suspected the Hakim family. Hakim had never hidden his contempt for journalists in general and Hydara in particular. After the national assembly voted the two laws curbing press freedom, Hakim paid for the publication of a message in the *Daily Observer* congratulating President Jammeh for his inflexibility. In an argument with Hydara, he had told him to stop publishing his "Good Morning, Mr. President" column.

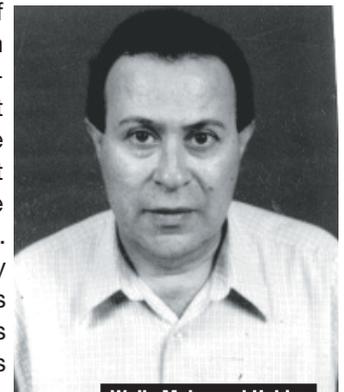
Once released, Hakim wrote a letter of protest to the NIA director-general on 1 March, with copies to the interior minister, justice minister and the US ambassador to Banjul. His aim was not just to proclaim his innocence, but also to give his version of events and to demand fair treatment for his family and himself.

"On the 17th day of February 2005, I was invited to the National Intelligence Agency Headquarters in Banjul for questioning," he wrote. "I informed the National Intelligence Agency authorities about my arms and ammunition which I had in my possession, and which were all properly licensed by the Police authorities. (...) These items did not include any silencer or any army issued gun. (...) I saw on television a number of guns including silencers said to have been found in my possession. I would like

to believe that you were not aware that these items which were paraded on television were never in my possession, and that it is because of your lack of such knowledge that you went on television to suggest that all these items were in fact found with me."

The letter continued: "Your television broadcast has caused a lot of anxiety and embarrassment to my family and to me. I have made it abundantly clear, that I was not in any way involved in the killing of Deyda Hydara, and I have no doubt that your officials know this as a fact from their investigation. I have taken the unusual step of writing, so that it is on record, that the broadcast that was made was unfair and contained a lot of misrepresentation of facts. I have cooperated completely with the National Intelligence Authorities, and I am very disappointed to note that despite my cooperation, I am being treated as I have been."

Hakim was re-arrested by the NIA the day this letter appeared in the opposition biweekly, *The Independent*, but he was quickly released. When a friend of Hydara's met him in April, he continued to insist on his innocence and to claim that he had been the victim of a plot. "I changed my mind," Reporters Without Borders was told by this colleague of Hydara, "I think he had nothing to do with the case and served to create a diversion."



Wally Mahmoud Hakim

Murky issues

The Reporters Without Borders representative drove the route that Hydara took on the night of 16 December, from the premises of *The Point* on Garba Jahumpa road in Bakau to Sankung Sillah street in Kanifing. The drive took 15 minutes by day. There is less traffic at night, so it is unlikely to have taken any longer. So the men in the Mitsubishi L200 parked near *The Point* when Hydara got into his car were still discreetly watching him less than 15 minutes before he was shot.

Less than a minute before he was shot, Hydara also passed by the entrance to the barracks of the Mobile Intervention Unit, the elite police unit



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on Banjul-Serrekunda Highway. The entrance, located a hundred metres from Sankung Sillah street where Hydara turned off and was shot, is guarded by at least one armed man. The police camp is opposite an empty lot. The murder took place within easy earshot of the barracks, especially late at night when there is virtually no traffic. The policeman on guard that night had to have heard the gunshots and may even have seen Hydara's blue Mercedes 200 followed by the Mercedes taxi with no licence plates carrying the killers.

But the police officers on guard duty that night, a hundred metres away, remained strangely indifferent to the burst of gunshots that rang out on Sankung Sillah street. Several sources said the murder took place "shortly after 10 p.m." but police chief Landing "13" Badjie, who has since been dismissed for involvement in a case of corruption, told the Reporters Without Borders representative in December that he was notified "after midnight."

Finally, the investigation conducted by the Gambian authorities has from the outset inexplicably ruled out the possibility that Hydara's murder was politically motivated. Worse still, the Gambian investigators who went to Senegal to question the two main witnesses of the murder, Isatou Jagne and Nyansarang Jobe, who were in Hydara's car at the moment of the shooting, were working on the assumption that it was a case of personal score-settling. Furthermore, Pap Saine, *The Point's* co-founder and Hydara's friend of more than 30 years, was questioned several times by the NIA, treated with suspicion and forced to hand over documents with no relation to the case. Reporters Without Borders condemned this behaviour on 18 March, noting that if the Gambian authorities "wanted to create a diversion or try to discourage Pap Saine and push him into closing *The Point*, this would be the way to go about it."

Conclusions and recommendations

Deyda Hydara was subjected to harassment and surveillance by the Gambian intelligence services. Despite the mounting hostility towards dissent, he did not bow to the threats. Extremely well-informed and convinced he was within his rights, he wrote constantly

about the way the country was being run, criticizing what he thought were bad decisions and condemning abuses. The harsh new press legislation and the strategic question of the ailing groundnut sector were the dominant themes of his final articles. He was murdered by professionals in a premeditated ambush in which, for still unexplained reasons, the security forces present in the area failed in their duty to protect and intervene. Since his murder, the investigation conducted initially by the police and then by the intelligence services has produced no conclusive result. The investigators have not considered the possibility that the murder was politically-motivated, although it seems the most probable hypothesis.

1. Reporters Without Borders therefore urges Gambian President Yahya Jammeh to officially request the intervention of a neutral, independent and professional third party in the investigation into Hydara's murder. In particular, the organization proposes to the president that he should turn to the British or US authorities for police assistance and again asks him to form an independent commission of enquiry jointly with the Gambia Press Union (GPU) with the task of conducting a serious and credible investigation.

2. Reporters Without Borders furthermore reiterates its appeal to the African Union to publicly condemn Hydara's murder and to demand a serious investigation from the Gambian authorities, whose capital is the seat of the African Commission on Human and Peoples' Rights (ACHPR).



Barracks of the Mobile Intervention Unit seen from Sankung Sillah Street