

United Nations  Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

REFERENCE: DPPADPO-2019-04878

6 December 2019

Dear Colleagues,

Thank you for your joint letter dated 30 October 2018 sharing information concerning the arrest, enforced disappearance and extrajudicial killing of some 50 migrants in The Gambia in July 2005, and inquiring about the findings of the report of the Joint United Nations-Economic Community of West African States (ECOWAS) Fact-Finding Team on the circumstances surrounding the deaths and disappearances of Ghanaian nationals in 2005 in The Gambia. Allow me to express my sincere apologies for the delayed response to your request.

The Joint Fact-Finding Team was established on 15 August 2008, following a request made by the Governments of The Gambia and Ghana for the two organizations to facilitate their efforts to bring a peaceful closure to that matter, consistent with the principles of justice and respect for human rights and human dignity. In keeping with the wishes of both Governments, the Fact-Finding Team was independent and composed of members from outside the ECOWAS region.

I can confirm that the work of the Fact-Finding Team was indeed related to the matter that is the subject of your communication. I can also confirm that my Department has no additional information or comments either on the allegations in your communication or on the report of the Fact-Finding Team.

As you are most probably aware, new information has emerged during recent public hearings of The Gambia's Truth, Reconciliation and Reparations Commission (TRRC). On 22 and 23 July 2019, [REDACTED] and [REDACTED], members of a paramilitary unit known as the "junglers" that was under the control of former President Jammeh, spoke in harrowing detail about the killing of a group of West African migrants who had, they said, been mistaken for mercenaries in 2005. These testimonies appear seem to be related to the incidents that were studied by the Joint Fact-Finding Team. I welcome the pledges and assurances made by the new Government in The Gambia to cooperate with any effort to investigate the death of these West African migrants.

Concerning your request that ECOWAS and the United Nations release the report of the Fact-Finding Team, I would like to clarify that the involvement of the UN's then Department of Political Affairs and of ECOWAS came at the request of the two Governments. The objective of those two Governments was, by bringing closure to the matter, to restore and strengthen the traditionally cordial relations between the two countries, while bringing succour to the families of the deceased. Consistent with that central objective, the process was conducted in as discreet a manner as possible.



Accordingly, the report of the Fact-Finding Team was transmitted solely to ECOWAS and to the United Nations and, by them, to the two Governments concerned. In these circumstances, it is for the two Governments to decide whether to release the Fact-Finding Team's report or provide you with a copy. That said, I certainly share your concern regarding the need to fully establish the truth about the events in question and would support a decision by the two Governments to make the report available to the Special Procedures that you represent.

Yours sincerely,

*Rosemary A. DiCarlo*

Rosemary A. DiCarlo  
Under-Secretary-General  
for Political and Peacebuilding Affairs



To:

Ms. Elina Steinerte  
The Working Group on Arbitrary Detention

Mr. Bernard Duhaime  
The Working Group on Enforced  
or Involuntary Disappearances

Ms. Agnes Callamard  
Special Rapporteur on extrajudicial, summary  
or arbitrary executions

Mr. Felipe González Morales  
Special Rapporteur on the human rights of migrants

Ms. Dubravka Šimonovic  
Special Rapporteur on violence against women,  
its causes and consequences

Geneva

cc:

Ms. Michelle Bachelet  
United Nations High Commissioner for Human Rights  
Geneva

Mr. Mohamed Ibn Chambas  
Special Representative of the Secretary-General  
for West Africa and the Sahel  
Dakar

Mr. Jean-Claude Kassi Brou  
President of the Commission of the Economic  
Community of West African States  
Abuja