



PRESS RELEASE

HISTORIC CONVICTION IN GERMANY OF A FORMER MEMBER OF A GAMBIAN DEATH SQUAD FOR CRIMES AGAINST HUMANITY

(Geneva, 30 November 2023) - **Bai L.**, a former member of the paramilitary unit known as the "Junglers", created by former Gambian President Yahya Jammeh, has been sentenced to life imprisonment by a German court for two murders and an attempted murder constituting crimes against humanity. This is the first trial to be held on the basis of universal jurisdiction for crimes committed during Mr Jammeh's presidency. The judgment is of major significance, not only for the four plaintiffs in the trial, but also for all the victims and survivors of these crimes.

Bai L. was convicted of the murders of journalist [Deyda Hydara](#) in 2004 and former soldier [Dawda Nyassi](#) in 2006, as well as the attempted murder of lawyer Ousman Sillah in 2003. The judges followed the Federal Prosecutor's [recommendations](#) made at the hearing on 16 November. Bai L. was arrested in Germany in March 2021, where he had been living since 2012 after leaving the Gambia. During the trial, which began on 25 April 2022, a Court in Celle, Germany, heard a large number of witnesses and took into account written and audio-visual documents, including interviews given by the accused to Gambian radio stations, as well as transcripts and recordings of the hearings of the [Gambian Truth, Reconciliation and Reparations Commission \(TRRC\)](#) set up in 2017 to shed light on the atrocities committed under the presidency of Yahya Jammeh. The judge nevertheless reminded Bai L. of his right to challenge his conviction before the Federal Court.

Germany has jurisdiction to try these crimes on the basis of [universal jurisdiction](#). Under this principle, States have the possibility, and sometimes the obligation, to prosecute the perpetrators of international crimes on their territory, regardless of where the crimes were committed or the nationality of the perpetrators and victims.

TRIAL International has been involved in this issue for several years as part of its work on the serious human rights violations committed under Yahya Jammeh's presidency, with several partner NGOs such as [Human Rights Watch](#). TRIAL International and the German organisation [ECCHR](#) contacted the German prosecuting authorities in August 2019 to inform them of the suspect's presence on German territory and to find out whether an investigation was already underway against him. Following his arrest in Germany in 2021, TRIAL International provided additional information to the German prosecuting authorities regarding his involvement in the alleged offences, including the above-mentioned radio interviews and testimony from the TRRC. It then provided logistical and psychological support to the plaintiffs.

This trial is historic in that it has made it possible to condemn, for the first time, the crimes committed by a member of the Junglers under the presidency of Yahya Jammeh, by implicating one of the tools of state repression by which the former dictator suppressed the opposition in order to maintain his hold on power.

"The recognition of Bai L.'s responsibility in these crimes against humanity as a person who carried out murders on the orders of the presidency sheds light on this system of oppression", said Babaka Mputu, Legal Adviser at TRIAL International. *"This is a particularly important step for ongoing and future prosecutions in the Gambia and abroad against those who ordered these crimes, including the former President himself",* she added.



According to Baba Hydera, one of the plaintiffs in the trial, *"Bai Lowe is just one piece of the puzzle". "One day, the person on trial will be Yahya Jammeh. (...) We will not stop until we see him in front of a judge."*

The second trial under the principle of universal jurisdiction to try crimes committed under the presidency of Yahya Jammeh will open in Switzerland on 8 January 2024 against Ousman Sonko, former Gambian Interior Minister, who is also accused of crimes against humanity. Another alleged former member of the Junglers, Michael Correa, was charged in the United States in June 2020 with torture. His trial will take place in Denver, Colorado, and is scheduled to begin in September 2024.

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