

With memories of Rwanda: The Gambian minister taking on Suu Kyi

Aaron Ross

Reuters, December, 5 2019

BANJUL (Reuters) - The genocide case brought against Myanmar at the International Court of Justice (ICJ) - the first of its kind initiated since the 1990s - may not have happened at all but for a scheduling conflict.

In May last year, Gambia's foreign minister pulled out at the last minute from the annual conference of the Organization of Islamic Cooperation (OIC) in Bangladesh, sending Justice Minister Abubacarr Tambadou instead.

For Tambadou, who spent more than a decade prosecuting cases from Rwanda's 1994 genocide, what he saw and heard in Bangladesh jogged some painful memories.

He joined an OIC delegation visiting overcrowded refugee camps in Cox's Bazar, where some of the hundreds of thousands of Rohingya Muslims who had fled Buddhist-majority Myanmar since August 2017 recounted how, they said, security forces had burnt Rohingya children alive, raped women and killed men.

"I saw genocide written all over these stories," Tambadou said in an interview in Gambia's capital, Banjul.

Authorities in Myanmar, including its de facto leader and Nobel Peace Prize laureate Aung San Suu Kyi, have

denied almost all allegations made by refugees against its troops, who it says were engaged in legitimate counterterrorism operations.

Tambadou introduced a resolution to create an OIC committee to examine alleged abuses against the Rohingya, and this year convinced the 57-member organization to back a formal case against Myanmar - thrusting his tiny West African homeland into the center of one of the most high profile international legal cases in a generation.

When arguments are presented in The Hague next week, Gambia's legal team will face off against a Myanmar delegation led by Suu Kyi.

Tambadou will ask the judges to immediately order Myanmar to cease violence against Rohingya civilians and preserve evidence that could eventually form the basis of a finding that Myanmar committed genocide. Myanmar has vowed to contest the case.

'Use Our Voice'

Gambia's role in the case would have been unthinkable until three years ago.

For 22 years, former President Yahya Jammeh's security forces had

killed and tortured scores of real or perceived political opponents, according to evidence presented to an ongoing truth commission.

But a 2016 election unexpectedly ended in defeat for Jammeh, who fled into exile. Opposition leader Adama Barrow took power promising to restore human rights and stem corruption.

“Twenty-two years of a brutal dictatorship has taught us how to use our voice,” said Tambadou, seated behind a desk stacked with legal texts, his shirtsleeves rolled up as he sweated through a power cut.

“We know too well how it feels like to be unable to tell your story to the world, to be unable to share your pain in the hope that someone out there will hear and help.”

The son of a businessman from Banjul, the 46-year-old Tambadou studied law in Britain before returning to Gambia in the late 1990s to practice.

In April 2000, security forces killed 14 student protesters, an event Tambadou credits with pushing him toward human rights work.

Friends tried to steer him away from the kind of work that could have landed him in one of Jammeh’s notorious jails or worse, but Tambadou was committed, said Emmanuel Joof, who co-founded a coalition of human rights defenders with him in 2000.

In 2003, he left Gambia to join the United Nations’ Tanzania-based International Criminal Tribunal for Rwanda (ICTR), where he successfully prosecuted some of the genocide’s most notorious figures, including former army chief Augustin Bizimungu, who was sentenced in 2011 to 30 years in prison.

As justice minister since 2017, his decisions have occasionally put him at odds with former colleagues, such as when he ordered members of a Jammeh-era hit squad released from prison on technical grounds.

“Sometimes we don’t agree with him,” said Joof, who is now chairman of the independent National Human Rights Commission. “But the fact that it’s (a) person who is passionate about these issues gives someone like me great comfort.”

Legal Battle

Tambadou, a devout Muslim with a prominent prayer bump on his forehead, acknowledged that Islamic solidarity was a factor behind Gambia and the OIC’s actions but said “this is about our humanity ultimately”.

Authorities in Myanmar reacted swiftly to Gambia’s submissions, which cite U.N. investigators’ findings that Myanmar’s military acted with “genocidal intent”.

Suu Kyi’s office said she would attend the hearings to “defend the national interest of Myanmar” and supporters have rallied behind her in street demonstrations and on social media.

Tambadou said that after several years in which Myanmar had refused to engage with international organizations over its handling of the Rohingya crisis, he was pleased his initiative had elicited such a strong response.

“I am glad that very senior members of the government will be at the court,” he said. “It shows the seriousness ... with which they are taking this case.”