

United States Senate

WASHINGTON, DC 20510

February 18, 2020

The Honorable William Barr
Attorney General
United States Department of Justice
Washington, DC 20530

The Honorable Chad Wolf
Acting Secretary
United States Department of Homeland Security
Washington DC 20528

Dear Attorney General Barr and Acting Secretary Wolf:

It has come to our attention that alleged former Gambian death squad member, Michael Sang Correa, is in U.S. custody in Colorado for overstaying a visa.¹ Since his arrest, he has unsuccessfully applied for asylum in the United States, and has been ordered removed from the United States. However, there is compelling evidence that Mr. Correa may have been responsible for heinous atrocities – including the torture and extrajudicial killings of U.S. citizens – in The Gambia. These are criminal offenses which the United States has jurisdiction to prosecute. We urge your agencies – which are responsible for bringing human rights violators to justice – to fully investigate this matter and, if warranted, prosecute Correa under U.S. law.

Vigorously prosecuting human rights violations is a hallmark of America's commitment to protecting human rights around the world. Congress has provided the Department of Justice (DOJ) and Department of Homeland Security (DHS) with the tools required to pursue these prosecutions. For example, 18 U.S.C. §2332 allows the United States to prosecute anyone who kills, attempts to kill, or conspires to kill U.S. citizens abroad, regardless of the perpetrator's nationality;² and 18 U.S.C. §2340A allows the United States to prosecute anyone who committed – or attempted or conspired to commit – torture abroad, so long as the perpetrator is present in the United States.³ Furthermore, Congress has consistently appropriated resources to specialized DOJ and DHS units to hold human rights violators accountable. Most recently, in the Fiscal Year 2020 Consolidated Appropriations Act, Congress expressed concern about “the large number of suspected serious human rights violators from foreign countries who have found safe haven in the United States” and “the low number of investigations and prosecutions of human rights violators,” and directed the Justice Department to “increase efforts to investigate and prosecute

¹ See Andrew Moore, *A Gambian Paramilitary Fighter Could Face Justice in the United States*, JUST SECURITY, <https://www.justsecurity.org/67790/a-gambian-paramilitary-fighter-could-face-justice-in-the-united-states/>.

² 18 U.S.C. §2332 (1996).

³ 18 U.S.C. §2340A (2001).

these crimes, including genocide, torture, use or recruitment of child soldiers, war crimes, and other crimes committed by human rights violators.”⁴

There is significant evidence of Mr. Correa’s alleged crimes. Correa was a member of former dictator Yahya Jammeh’s notorious Junglers death squad in The Gambia.⁵ The Junglers were responsible for arbitrary arrests, detention, torture, enforced disappearances and extrajudicial killings of persons considered to be opponents of the Jammeh regime, journalists and ordinary civilians.⁶ After an attempted coup against Jammeh in March of 2006, Correa and other Junglers allegedly tortured suspected coup participants.⁷ Several survivors, including one United States citizen,⁸ have stated that Correa personally tortured them or was present while other Junglers tortured them.⁹ Moreover, Alhagie Mamut Ceesay and Ebou Jobe, both also United States citizens, were abducted, tortured, decapitated, dismembered, and dumped in a well by the Junglers in 2013.¹⁰ Former Junglers testified before the Gambian Truth, Reconciliation and Reparations Commission (TRRC) that Correa conducted surveillance as part of the operation that resulted in Ceesay and Jobe’s abductions and gruesome murders.¹¹

⁴ See S. Rep. No. 116-127, at 96-97 (2019), available at <https://www.appropriations.senate.gov/imo/media/doc/FY2020%20CJS%20Appropriations%20Act,%20Report%20116-127.pdf>.

⁵ See THE POINT & AFRICAN NETWORK AGAINST EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES, TRUTH, RECONCILIATION & REPARATIONS COMMISSION (TRRC) DIGEST EDITION 5 48-66 (former Junglers and survivors testifying that Correa was a member of the Junglers or took part in Junglers operations) [hereinafter TRRC DIGEST EDITION 5]; THE POINT & AFRICAN NETWORK AGAINST EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES, TRUTH, RECONCILIATION & REPARATIONS COMMISSION (TRRC) DIGEST EDITION 6 99-111, 119, 130, 133-34 (same) [hereinafter TRRC DIGEST EDITION 6]; THE POINT & AFRICAN NETWORK AGAINST EXTRAJUDICIAL KILLINGS AND ENFORCED DISAPPEARANCES, TRUTH, RECONCILIATION & REPARATIONS COMMISSION (TRRC) DIGEST EDITION 7 28-29, 31-34, 38, 49-52 (same) [hereinafter TRRC DIGEST EDITION 7].

⁶ See Juan E. Méndez, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, Addendum, Mission to the Gambia, U.N. Doc. at ¶29, available at A/HRC/28/68/Add.4 (describing the Junglers’ crimes).

⁷ See TRRC DIGEST EDITION 5 46-58, 62-66 (testimony of Bunja Darboe, Alagie Martin and Demba Dem that Correa was involved in their torture); see also AMNESTY INTERNATIONAL, *GAMBIA: FEAR RULES* 8-10 (2008).

⁸ See Adam Nossiter, *Jesse Jackson Helps Free 2 From Gambia Prison*, N.Y. TIMES (Sept. 21, 2012), <https://www.nytimes.com/2012/09/22/world/africa/in-gambia-jesse-jackson-helps-free-2-americans.html>.

⁹ See TRRC DIGEST EDITION 5 48-66.

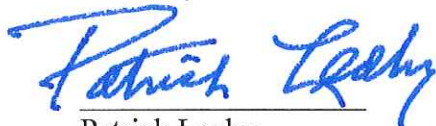
¹⁰ See Danielle Paquette, “*Chopped to pieces*”: *Former dictator’s hitmen confess to murder and walk free in Gambia*. INDEPENDENT (Aug. 25, 2019), <https://www.independent.co.uk/news/world/africa/gambia-dictator-genocide-hitmen-yahya-jammeh-junglers-amnesty-rwandan-genocide-a9078116.html>.

¹¹ TRRC DIGEST EDITION 6 133 (testimony of Amadou Badjie); TRRC DIGEST EDITION 7 49-50 (testimony of Pa Ousman Sanneh). Former Junglers also alleged that Correa was involved in other crimes. See TRRC DIGEST EDITION 6 99-110 (testimony of Malick Jatta that Correa was involved in the killing of journalist Deyda Hydara and the extrajudicial killing and enforced disappearance of Daba Marenah, Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr, Masireh Jammeh and a woman called Julia); TRRC DIGEST EDITION 7 28-29, 33-34, 52 (testimony of Ismaila Jammeh that Correa was involved in the extrajudicial killing and enforced disappearance of Daba Marenah, Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr, Masireh Jammeh and a woman called Julia; testimony of Lamin Badjie that Correa was involved in the extrajudicial killing and enforced disappearance of Malang Sonko, Tabara Samba, Buba Yarboe, Gebe/Gibril Bah, Lamin Jarju, Alieu Bah, Lamin Jammeh, Dawda Bojang, and Lamin Darboe; testimony of Pa Ousman Sanneh that Correa was involved in the torture of Captain Abdoulie Jobe and Lieutenant Colonel Sarjo Jarju).

Thoroughly investigating Correa's alleged crimes and prosecuting him, if warranted, would send a strong signal that the United States will protect its own citizens and will not serve as a safe haven for those who commit human rights atrocities. Allowing Correa to be removed from the United States, on the other hand, would likely allow him to escape any kind of real accountability or justice. The Gambia's Minister of Justice recently acknowledged that his country does not yet have the capacity to fully investigate and prosecute the Junglers for their heinous crimes, given the magnitude of the undertaking.¹²

The United States has been a leading champion of human rights around the world. Living up to that role requires that we not only promote human rights abroad, but also hold accountable human rights violators in our midst. We urge your agencies to take the necessary steps to investigate and, if appropriate, prosecute Mr. Correa here in the United States for his alleged crimes.

Sincerely,



Patrick Leahy
United States Senator



Richard J. Durbin
United States Senator

¹² See Abdoulie John, *Gambia is Not Ready to Try Junglers*, KAIRO NEWS (Oct. 10, 2018), <http://www.kaironews.com/gambia-is-not-ready-to-try-junglers/>; Ruth Maclean & Saikou Jammeh, *'A killer is always a killer': Gambia gripped by Junglers' testimony*, THE GUARDIAN (Aug. 23, 2019), <https://www.theguardian.com/world/2019/aug/23/a-killer-is-always-a-killer-gambia-gripped-by-junglers-testimony>.