

**BAR LEADERS FORUM
COMMONWEALTH LAW CONFERENCE
MELBOURNE 17 APRIL 2003**

RESOLUTION No. 3 (The Gambia)

The Leaders of the Bars and Law Societies of the Commonwealth meeting at the Commonwealth Law Conference, held in Melbourne, Australia on 16 April 2003, under the auspices of the Commonwealth Lawyers Association and the Law Council Australia:

Observing the serious threat to the rule of law in Gambia.

Recalling

the Harare Declaration, the founding principles of the Commonwealth and of the Commonwealth Lawyers Association and the Latimer House Guidelines on Parliamentary Supremacy and Judicial Independence;

the report to Bar Leaders by The Gambia Bar Association released on 1 April 2003 expressing serious concern over threats to the independence of the Judiciary;

the recommended amendments to the Constitution proposed by the Law Reform Commission of The Gambia;

the international Conventions to which The Gambia is party;

the continued erosion by the Government of The Gambia of the rule of law and in particular the disregard for the rights of The Gambian people; and

the continuing harassment of lawyers and judges in the performance of their duties

Considering the serious and continued threat to the independence of the legal profession and the Judiciary.

Being gravely concerned for the safety and rights of lawyers, members of the Judiciary and others advocating the rule of law and international human rights in The Gambia.

Urge the Government of The Gambia to:

uphold the safety, well being, and legal rights of all persons in The Gambia, in particular members of the legal profession, and to ensure that the right to a fair trial is not violated;

ensure that members of the Judiciary and legal profession of The Gambia are able to discharge their functions independently and without impediment; and

Resolve that they will:

actively support the legal profession of The Gambia in their efforts to uphold the Rule of Law, the independence of the Judiciary and of the Legal Profession in The Gambia; and

assist, within their means, in providing such technical and other assistance as The Gambia Bar Association may seek in those efforts.