## Lamin Cessay, Fatou Jatta, Ousman Sowe

C/O AIDS-Free World, The Institute for Human Rights and Development in Africa and
Antouman A.B. Gaye & Co.

949 Brusubi Layout, AU Summit Highway
P.O. BOX 1896
Banjul, The Gambia

sbosha@aidsfreeworld.org, ofagbemi@ihrda.org, combehgaye@gmail.com

The Registrar, Dr Mohammed Cham The Gambia Medical and Dental Council (GMDC) Brufut Highway The Gambia

18 September 2019

RE: Complaint against Dr Tasmir Mbowe

Dear Sir,

We write to make a formal complaint against Dr. Tamsir Mbowe, a licensed medical practitioner in the Gambia, for his actions against People Living with HIV (PLHIV) through former President Yahya Jammeh's Presidential Alternative Treatment Programme (the Programme).

In 2007, Jammeh declared that he could cure HIV with a secret herbal concoction. He established The Programme for the cure of HIV and other diseases. The Programme operated from January 2007 until Jammeh was deposed 21 January 2017. Dr. Tamsir Mbowe served as the Director of the Programme and held a supervisory position and was responsible for overseeing the procedures of patient care.

We the complainants, (Lamin Ceesay (63), Fatou Jatta (52) and Ousman Sowe (63) were members of the first batch of patients admitted to the Programme, after we were misled into joining by the former president Jammeh. We were forced to submit to a treatment regimen with untested herbal concoctions under the watch of Dr. Mbowe. From the time of his appointment as the lead doctor for the Programme, Dr. Mbowe was present and overseeing every procedure as we were being treated.

Dr. Mbowe's misconduct and violations against us include; endorsing advice that forbade us from taking anti-retroviral medication (ARV's) or other conventional medicine in favour of the programme's fraudulent HIV cure; publicising our private medical information on national television without seeking our prior informed written consent to do so; using his position as a medical doctor to mislead us and the nation on the scientific efficacy of the Programme's fraudulent herbal HIV cure by falsely announcing we had been cured of HIV.

When we first entered the Programme, we were forced to comply with stopping our ART in favour of the Programme's fraudulent herbal HIV cure, despite the fact that ART was and is to date, the only scientifically tested method known to treat and manage HIV and AIDS.

Dr. Mbowe gave a semblance of credibility to the Programme through his long-term, constant and engaged participation in all aspects of patient care and performed duties in pursuit of the Programme's

objectives of claiming to have an effective cure for HIV. More specifically, Dr. Mbowe drew our blood samples for CD4 count and viral load testing during our time in the Programme. He went on to announce our medical information, publicly on national television, without our prior informed written consent, violating our privacy, autonomy and right to confidentiality. Dr. Mbowe and Programme officials authoritatively asserted to us and publicly announced to the Gambian people that we had been cured of HIV, when in fact, this was not true.

As a result of the Treatment Programme, our health conditions severely deteriorated. For example, we became vulnerable to, and fell sick with other infections while in the Programme – for instance, Lamin Ceesay contracted tuberculosis in 2007 during his admission in the Programme and was admitted to the sanatorium from May to July 2007 for treatment. Despite our failing health, Dr. Mbowe misled us and the public by falsifying our CD 4 count results and asserting that due to Jammeh's HIV cure, our health was steadily improving.

We hereby wish to bring this delinquent, unethical, inappropriate and highly egregious behaviour of Dr Mbowe to the attention of the GMDC. Dr Mbowe's participation in the Treatment Programme was a clear affront to the medical deontology oath which he swore to uphold throughout his career as a medical practitioner. We submit that not only was this behaviour illegal, it was especially harmful to our long-term health resulting in personal injury, loss of quality of life and hospitalisation.

We call for immediate disciplinary action from the Disciplinary Committee against Dr. Mbowe for his participation in the Programme. Dr. Mbowe acted in a grossly irresponsible manner inconsistent with the ethics of the Hippocratic oath he swore to uphold; committing professional misconduct with total disregard for the law by supervising and participating in the fraudulent treatment Programme. The GMDC should be seen to be effective in fulfilling its mandate to protect the public's health and safety. To this end, we strongly call for the revocation of Dr. Mbowe's licence to practice medicine.

As Persons Living with HIV/AIDS (PLHIV), we were taken advantage of because of our status and subjected to inadequate, insufficient care under the authority of a practitioner whose sole duty it is to ensure the welfare of his patients. A full consideration and investigation by the Disciplinary Committee should therefore be taken on this matter.

We have given authority to AIDS-Free World, the Institute for Human Rights and Development in Africa (IHRDA) and the law firm of Antouman A.B Gaye and Co, to represent us in this matter, and to receive all correspondence on our behalf.

We look forward to receiving regular updates on the status of such an investigation and notification of the outcome. We also remain happy to avail ourselves to provide more information regarding this matter as necessary.

Yours Sincerely,

Lamin Ceesay

Fatou Jatta

Ousman Y. Sowe

## Fatou Jatta

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The Registrar, Dr Mohammed Cham The Gambia Medical and Dental Council (GMDC) Brufut Highway The Gambia

18 September, 2019

RE: Complaint against Dr. Malick Njie

Dear Sir,

I write to make a formal complaint against Dr. Malick Njie, for his actions against People Living with HIV (PLHIV) during the Presidential Alternative Treatment Programme (PATP) of former president Yahya Jammeh. Dr. Njie is a licensed medical practitioner in The Gambia. At the time of the said programme, he was the Minister of Health and he worked closely with Yahyah Jammeh in carrying out the treatment.

In 2007, former president Jammeh declared that he could cure HIV with a secret herbal concoction. He established the PATP for the cure of HIV and other diseases. The PATP operated from January 2007 until Jammeh was deposed 21 January, 2017. I was among the first batch of PLHIV to join the treatment programme.

On the first day of the treatment, January 19, 2007, Dr. Njie welcomed us to State House and briefed us on the expectations of being enrolled in the PATP. He gave verbal assurances to us of the efficacy and safety of Jammeh's HIV cure, telling us that we would be cured of HIV within a short space of time. Dr. Njie advised us in his professional capacity to immediately stop taking our anti-retroviral therapy (ART) and exclusively take only Jammeh's HIV cure.

In violation of patient ethics, and our right to privacy, more so as PLHIV, Dr. Njie told us that we should not cover our bodies during the filming of treatment sessions, assuring us that the footage would not be broadcast publicly. There was no option provided to opt out of filming or to demand that we be allowed to remain covered during any filming. Subsequently, I discovered together with my colleagues in the program that Dr. Njie had lied to us, when the footage of our half naked bodies was broadcast on The national broadcaster in The Gambia, Gambian Radio Television Services (GRTS), and streamed across the world on various international news outlets. I was deeply grieved by this television broadcast because my family and friends saw me half naked without my permission or consent.

Dr. Njie always played a key role during the PATP, openly accompanying Jammeh when he performed the massage sessions, and administered the herbal concoctions required for the treatment regimens. By his mere presence at these sessions, as a trained and qualified medical doctor, Dr. Njie was complicit in inflicting harmful treatment and violated his duty of care towards me and others like me. His involvement in the treatment gave legitimacy to the PATP and made me and others to believe that the treatment would be effective.

For flouting the ethical rules of the medical profession, failing to uphold his medical deontology oath, and blatant disregard for patient rights to privacy and confidentiality, and for lack of adherence to principles of quality patient care, I request that the Disciplinary Committee act immediately and strongly to reprimand and sanction Dr. Njie.

Dr. Njie's participation and endorsement of the PATP and the fraudulent HIV cure was so egregious that it led to severe harm to my physical health while I was enrolled. He was an active participant in a system and treatment program that had no patient autonomy, as I felt I had no choice but to take the herbal concoction created by Jammeh. The PATP that Dr. Njie endorsed as an effective cure for HIV was nothing more than a cruel experiment that led to a deterioration in my health and quality of life and led to the death of many other PLHIV that were enrolled with me.

I urge the Disciplinary Council to revoke the license of Dr. Njie and forbid him from practicing medicine in The Gambia for his role in PATP to serve as a punishment for what he did to prop up and promote a harmful and unproven cure.

I have given authority to AIDS-Free World, the Institute for Human Rights and Development in Africa (IHRDA) and the law firm of Antouman A.B Gaye and Co, to represent me in this matter, and to receive all correspondence on my behalf.

I look forward to receiving regular updates on the status of such an investigation and notification of the outcome. I also remain happy to provide more information regarding this matter as necessary.

Yours truly,

Fatou M. Jatta