

The
Gambia
Elections Security *Report*

CSOs Response to
the 4th December
2021 Presidential
Elections





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Abbreviations

AFPRC	Armed Forces Provisional Ruling Council
APRC	Alliance for Patriotic Reorientation and Construction
AU	Africa Union
CA	Citizens Alliance
CCE	CSO Coalition on Election-The Gambia
CoC	Code of Conduct
CRC	Constitutional Review Commission
CSO	Civil Society Organisation
ECOMIG	ECOWAS Military Intervention in The Gambia
ECOWAS	Economic Community of West African States
EMAM	Electoral violence Monitoring, Analysis and Mitigation
EMBs	Electoral Management Bodies
EPSAO	ECOWAS Peace and Security Architecture and Operations
ESR	Election Situation Room
EU	European Union
GDC	Gambia Democratic Congress
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GMC	Gambia Moral Congress
GPF	Gambia Police Force
GPU	Gambian Press Union
GRTS	Gambia Radio and Television Services
IEC	Independent Electoral Commission
IPC	Inter-Party Committee
JSC	Joint Security Command
MoU	Memorandum of Understanding
NAM	No Alliance Movement
NADD	National Alliance for Democracy and Development
NCCE	National Commission for Civic Education
NUP	National Unity Party
NHRC	National Human Rights Commission
NRP	National Reconciliation Party
NEWS	National Early Warning System
NERG	National Election Response Group
NPP	National People's Party
PAG	Peace Ambassadors- The Gambia
PDOIS	People's Democratic Organisation for Independence and Socialism
PDP	People's Democratic Party
PIEC	Provisional Independent Electoral Commission
PPP	People's Progressive Party
SSR	Security Sector Reform
SSS	State Intelligence Services
TANGO	The Association of Non-Governmental Organisations
TRRC	Truth, Reconciliation and Reparations Commission
UDP	United Democratic Party
WANEP	West Africa Network for Peacebuilding

Acknowledgement

Political transitions are quite often fraught with tensions that can devolve into violence if preventive and remedial actions are not taken before, during and after elections. It requires significant amount of investment of time, efforts and financial resources to ensure peaceful outcome of elections. Regarding The Gambia's 4 December 2021 presidential elections, which took place in a tense and polarised environment, multiple state and non-state actors both domestic and international made concerted efforts to ensure that the outcome of the elections was peaceful, credible and reflective of the will of the electorate.

This report presents the experience of the electoral process and the contributions of CSOs working in difficult circumstances along the length and breadth of the country to promote a non-violent political transition. The project titled "Strengthening Multi-Stakeholders Response to Election Violence in West Africa" under the EPSAO project which complement the project of the West Africa Network for Peacebuilding (WANEP) titled "Electoral violence Monitoring, Analysis and Mitigation (EMAM)" project was also instrumental in enhancing the capacity and capability of a cross-section of CSOs in The Gambia to campaign, lobby, monitor, observe and intervene in a timely manner throughout the electoral process for a peaceful outcome. Without the support of domestic and international partners, the contributions of CSOs would have been limited for lack of financial and material resources. WANEP-The Gambia together with members of the CSOs Coalition on Elections-The Gambia acknowledges the financial and technical support of European Union and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), GmbH under the ECOWAS Peace and Security Architecture and Operations (EPSAO) Project.

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Executive Summary

The Gambia's presidential elections on 4 December 2021 marked an important milestone in the country's democratisation process as it is the first election in the post – former President Yahya Jammeh's era. Since Jammeh's first victory in the November 1996 presidential election, he had won every other election until his defeat in December 2016 elections by Adama Barrow who represented a coalition of seven opposition parties. Jammeh's refusal to accept Barrow's victory, having initially conceded defeat, brought The Gambia on the brink of potential armed confrontation with the regional forces of the Economic Community of West African States (ECOWAS). The war was averted when Jammeh accepted to leave the country for exile in Equatorial Guinea after intense mediation by ECOWAS. The deployed West African forces were transformed into the ECOWAS Mission in The Gambia (ECOMIG) to ensure the country's post-election peace and stability. The end of the Jammeh's era saw a significant improvement in the protection of civil liberties that led to the release of political prisoners. Despite Jammeh's enforced departure, the country's political polarisation did not significantly improve. President Barrow fell out with some of his coalition partners in his bid to consolidate power. The polarisation further deepened when President Barrow broke away from his former political party, United Democratic Party (UDP) to establish his own National People's Party (NPP), making him the country's first president to create new political party while in office. The growing antagonism between President Barrow and his former leader raised concerns over the security outcome of the December 4th presidential election. The tense and antagonistic political climate heightened the risk of violent confrontations that could jeopardise the fragile peace and stability of the country.

It is against the backdrop of the above that The Gambia electoral security project was undertaken by the West Africa Network for Peacebuilding (WANEP) with support from European Union and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH - ECOWAS Peace and Security Architecture and Operations (EPSAO) Project under the project titled Strengthening Multistakeholder Response to Election Violence in West Africa. It aligns with the WANEP_E-MAM (Election Monitoring, Analysis and Mitigation) project within its broader Democracy and Governance Programme that supports an inclusive and sustainable dispute resolution architecture that prevents and mitigates election-related violence in West Africa. To prevent and mitigate electoral violence as well as promote credible and transparent elections in The Gambia, WANEP – through its national network, WANEP-The Gambia – undertook a number of activities including a specialised training in mediation and preventive diplomacy for state actors and EMBs. The goal of the capacity building of state actors, EMBs, civil society actors and other partners was to better prepare these key actors to

prevent political tensions from degenerating into violent conflict. The broader focus of the project was mainly to enable civil society actors to respond in a holistic manner for a peaceful outcome of the elections. These civil actors were trained and equipped with the necessary tools to effectively participate in the promotion of peaceful and credible elections in The Gambia.

The election took place during the COVID-19 pandemic with health-related restrictions put in place by the Government. While political leaders were seen with face masks during political rallies, a large section of the crowd were without one with no respect for social distancing. On polling day, the Independent Electoral Commission (IEC) put in place measures including hand sanitizers and face masks in all polling stations to curb transmission of the virus while voting was in progress. Despite some of the challenges, the elections were held within the timeframe. The total number of registered voters for the election was 962,157 of which 57% females and 43% males and 57% were between 18 and 35 years (IEC, 2021). Voting was conducted in 1554 polling stations across the country's seven regions. Out of the initial twenty-six (26) presidential nominees from thirteen (13) political parties and thirteen (13) independents, only six (6) candidates finally made it to the ballot box as five (5) aspirants withdrew from the nomination process, while 15 were rejected including the only female independent candidate (Reuters, 2021; RFI, 2021a). Voter turnout was 89.34%, which ranked amongst the highest in the country's election history, with no invalid votes as the voting system, using drums, tokens, sand and sieves, often makes invalid vote almost impossible. The NPP's incumbent President Barrow obtained 53.23% of the votes, while the opposition UDP leader and candidate, former Vice President Ousainou Darboe, secured 27.72% and Mama Kandeh, the leader of the Gambia Democratic Congress (GDC) came third with 12.23% (IEC, 2021). However, runner-up Darboe, together with the third-place finisher, Mama Kandeh, and another independent candidate, disputed the election results. The UDP filed and lost a case at the country's Supreme Court to challenge President Barrow's victory.

To promote and ensure peaceful and credible presidential elections, a number of actions were carried out before, during and after the election by Civil Society Organisations (CSOs) in partnership with other domestic and international actors. Pre-election activities included the close monitoring of the security and political landscape through WANEP's National Early Warning System (NEWS) and the National Election Response Group (NERG). A conflict hotspots and stakeholders assessment was conducted and resulted in the identification of forty-three (43) hotspots for political violence across the seven regions of the country. Also, WANEP and its partners trained and deployed 20 pre-election community monitors to the identified hotspots to monitor and report on election-related incidents through the NEWS and the online platform GambiaElects. On polling day, WANEP and The Gambia CSO Coalition on Election deployed 150 trained and accredited domestic election observers to mainly high risk areas across the country. Another forty-five (45) additional personnel were deployed in the Election Situation Room (ESR) hosted at Coco Ocean Spa and Resort, Bijilo, The Gambia. The ESR was divided into four divisions, namely: the "Data Gathering Room", "Analysis Room", "Decision Room", and "Communication Room". With the

intervention and concerted efforts of the Eminent Persons in the ESR, civil society actors and other partners, the presidential election was relatively peacefully with isolated instances of sporadic violence before and after the elections. Instances of political violence included the violent confrontation in 2017 between Jammeh's loyal supporters and members of ECOMIG forces stationed in Foni, the former president's hometown, resulting in one (1) death. There was another clash between residents of Faraba Banta and The Gambia Police Force in June 2018 leaving two (2) people dead and several others injured, which was followed later by a series of protests by the "Three Years Jotna" (Three Years is Enough) movement that sparked riots in January 2020, resulting in the arrest of 137 protesters. The successful and largely peaceful conclusion of The Gambia's first presidential under the new democratic dispensation was largely due to significant investment in time, human and financial resources. The considerable social and political capital as well as experience and expertise developed by civil society actors together with the support of domestic and international partners should be continually enhanced for the consolidation of The Gambia's democratisation process, peace and security. This is critical given that the country's political and security situation remains fragile. There are many outstanding issues to be addressed to prevent the country from backsliding into authoritarianism and ethnically-motivated violence that could jeopardise the country's peace and stability.

In light of the ongoing constitutional, legal, social and security challenges facing the country, the report puts forward a set of recommendations to key stakeholders as well as regional and international partners to support and strengthen the country's democratisation process, peace and stability. Key recommendations include the following:

- The Government and the National Assembly should revive and pass the stalled Constitutional Promulgation Bill of 2020, which has more progressive provisions than the current constitution midwived by the authoritarian Jammeh administration.
 - The Government should look into ways and means of implementing the Supreme Court's January 2021 ruling, affirming the voting rights for Gambians living abroad.
 - Political parties should desist from ethnicising political discourse and instead advocate for peaceful co-existence and work towards strengthening social cohesion in the country.
 - The Inter-Party Committee (IPC) should be provided with adequate resources to improve crossparty dialogue in a bid to identify and work in a non-partisan way on issues that pose threat to the peace and stability of the country.
 - The IEC should improve on its channels and strategies of communication for a fruitful engagement with stakeholders ;
 - The IEC should consider the number of party supporters accompanying their leaders during nominations to prevent under tensions and clashes especially in the event the IEC rejects the candidate.
-

- ECOWAS and International partners should support the government in the implementation of the country's SSR programme in a bid to reform and professionalise the national army;
- ECOWAS and International partners should ensure the conclusion of the ECOMIG mission and facilitate the orderly transfer of the responsibilities of the mission over to the country's security forces in strengthening the country's peace and stability.
- Law Enforcement Agencies should train their personnel to conduct and manage protests in a professional way without the use of excessive force against civilians;
- Law Enforcement Agencies should be trained on the rights-based and conflict sensitivity approach to be able to operate in a politically neutral manner and be seen working in the public interest.
- The NHRC should engage in public campaign to inform the general public of its role and responsibilities and on how to report abuses and violations;
- The NHRC should build strong partnerships with relevant entities including CSOs for the standardization and consistent monitoring, recording and reporting of abuses and violations.
- The NCCE should collaborate with stakeholders to inform and educate the public about their civic duty and responsibilities in consolidating the democratic process;
- The NCCE should also engage in peace education to counter negative ethnic narratives and labelling with the aim of strengthening social cohesion and peaceful coexistence.
- The GPU should revive dialogue on media freedoms to strengthen laws that will ensure journalists are able to pursue their work in an environment free of fear and self-censorship;
- The GPU should work with its members and all partners to combat misinformation, disinformation, hate speeches and incitement to violence using the media as a platform.
- CSOs should continue lobbying for the establishment of a Peace Centre with an early warning system and process in place with the aim of strengthening the country's fragile peace and stability;
- CSOs should embark on awareness-raising campaigns and lobbying for the passage of the stalled draft Constitution as well as the amendment or repeal of oppressive laws from the Jammeh era;
- CSOs should work in collaboration with other stakeholders to ensure the implementation of the key recommendations in the TRRC report as well as accountability for the perpetrators and justice for the victims.

In conclusion, future political transitions in The Gambia will be fraught with tensions that have the potential of devolving into violence if preventive and remedial actions are not taken before, during and after elections. The relatively peaceful outcome of the 4 December 2021 presidential elections should not be taken for granted and was the result of concerted efforts by multiple state and non-state actors at national, regional and international levels. CSOs in The Gambia have demonstrated the important role they can play and have to play in close collaboration with national, regional and international partners in promoting peaceful and credible elections aimed at strengthening the country's fledgling democracy. The efforts of CSOs should be sustained and continually enhanced as the cost of a high-intensity conflict is far more expensive than preventing it in the first place from happening. In essence, maintaining peace and stability in the new democratic dispensation in The Gambia is a worthwhile investment.

1. Introduction

The Gambia's 4 December 2021 presidential election is the first presidential race since the defeat of former President Yahya Jammeh in the 2016 elections and his subsequent enforced removal into exile in 2017. This report highlights key security issues around the election by examining the process, events and incidents before, during and after the polling day. The central focus of the report is to capture the contributions and experience of civil society actors, notably the Gambia CSO Coalition on Election in striving to promote and ensure a peaceful and credible outcome of the election.

The report starts with a presentation of the historical background of The Gambia's democratization experience since independence including the integrity and security of the organisation of elections. Subsequently, the security context of the presidential elections is examined before a presentation of key security-related issues around the pre-election period, the polling day and the post-election period, including the announcement of the results and the dispute. The report also examines the gender dimension issues of politics and election in The Gambia as well as presents key areas of contributions of CSOs towards a peaceful and credible election that reflect the choice of the simple majority of valid votes counted. The report presents three main challenges to the country's peace and stability before putting forward a set of recommendations aimed at key actors at national, regional and international levels to overcome some of these challenges.

1.1 Project Background

The West Africa Network for Peacebuilding (WANEP) with support from European Union and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH under the ECOWAS Peace and Security Architecture and Operations (EPSAO) Project is implementing a project titled Strengthening Multistakeholder Response to Election Violence in West Africa. The overall objective is to enhance response mechanisms for electoral dispute management and resolution in West Africa with focus on nine countries among which six are conducting Presidential elections between 2020 – 2022. These include Benin, Burkina Faso, Cote d'Ivoire, Ghana, Guinea Bissau, Liberia, Niger, Sierra Leone and The Gambia.

The project complements the WANEP project titled, "Electoral violence Monitoring, Analysis and Mitigation (E-MAM) designed to support inclusive and sustainable dispute resolution architecture that prevents or mitigates political or election related violence in West Africa. WANEP's experience in this effort spans over 15 years of intervention in Presidential and Parliamentary elections across 14

ECOWAS Member States. This has enabled it to develop a broad framework that links early warning with response to support the resolution of emerging political and electoral conflicts. Through hands on experience, WANEP has deepened its appreciation of the need to further strengthen local multi stakeholder preventive action throughout the electioneering process of upcoming elections in the region.

Within the context of The Gambia's presidential elections, it was imperative to provide capacity building support for CSOs to deepen their understanding of various election security threats which can impede on the credibility of the elections. The capacity to promote peaceful and credible elections requires the requisite knowledge and skills to advocate for accountability and transparency of the electoral processes and support the Election Management Bodies. CSOs need to work together with various partners to reinforce mechanisms for electoral security and integrity in line with standard democratic principles of universal suffrage, political equality, impartiality and transparency throughout the electoral cycle to boost public confidence and trust in the management and peaceful conduct of these elections.

The oversight and watchdog role of civil society is critical including building bridges for open multi stakeholder dialogue, information sharing and 'public audit' in order to maintain the integrity of the election. In essence, this project sought to enhance the strategic role of civil society to push for consistent ethical practice by EMBs over the entire course of the electoral cycle and prevent political violence during and after the election in The Gambia.

1.2. Methodology.

This report was informed by the outcome of a series of activities before, during and after the presidential elections. Ahead of the elections, WANEP-The Gambia engaged in monitoring the security and political environment through its National Early Warning System (NEWS). The tense pre-election environment was documented in a number of reports and policy briefs produced by WANEP - The Gambia, which are summarised in this report. Following a training workshop on election observation and monitoring as well as conflict prevention and mitigation strategies with member organisations of the Gambia CSO Coalition on Election, a one-day participatory session was organised to develop the framework for this report.

The framework was developed to report the integrity of the electoral process, challenges and opportunities as well as the experiences of CSOs in enabling a credible, transparent and peaceful election environment in The Gambia. The information regarding the voting day and post-election period was gathered through media monitoring, interviews with stakeholders, reports as well as declarations of the Gambia CSO Coalition on Elections and other election observation bodies including the AU, ECOWAS, EU among others.

In essence, this report is a qualitative account of the security and socio-political developments around the presidential elections and the contributions of CSOs to ensure its successful outcome without major outbreak of violence that would have otherwise jeopardised the peace and stability of the country.

2. Historical Background of Elections and Security

The Gambia, which is mainland Africa's smallest state, became a British colony in 1821, as part of British West African settlements under the jurisdiction of the Governor of Sierra Leone, and later recognised as a separate colony in 1888 (Hughes & Perfect, 2006 cited in Nabaneh, 2017). The Gambia gained independence on February 18, 1965, as a constitutional monarchy within the Commonwealth and became a republic on April 24, 1970 following a majority-approved referendum (Nabaneh, 2017). When The Gambia became independent with Dawda Kairaba Jawara as the first president, scholars were concerned whether the country could survive as an independent state. The American author, Berkeley Rice (1967), in his publication titled 'The birth of an improbable nation' (Nyang, 1977), concluded that the ex-British colony, a microstate, might not survive as an independent state as the country lacked strategic natural resources and might sooner or later be annexed by Senegal (Nyang, 1977). Despite doubts over the viability of The Gambia as an independent state, the country overcame the odds and celebrated its 56 years of independence ahead of the 2021 presidential election (Ceesay, 2016).

During the first 29 years of independence, The Gambia was known as one of sub-Saharan Africa's longest standing multiparty democracies as well as one of the most peaceful and stable countries in the region (Ceesay, 2016). This period of relative peace and stability was first briefly interrupted in July 1981 when a group of rebels of the National Revolutionary Council led by the Libya-trained Kukoi Samba Sanyang attempted to overthrow Jawara's People's Progressive Party (PPP) government (Edie, 2000). At the time of the attempted coup, President Jawara was out of the country away in London and had to appeal to Senegal for help. The then Senegalese President Abdou Diouf sent in Senegalese soldiers to foil the coup as The Gambia, which only had a paramilitary at the time, was unable to repulse the rebels. The rebellion, which lasted less than ten (10) days, led to the death of about 800 people (Edie, 2000). The victory by the Senegalese army served as an impetus for the creation of the Senegambia confederation in 1982 with the aim to create a combined army, currencies and economies (Edie, 2000). However, the Senegambia confederation was dissolved in 1989, when The Gambia withdrew over concerns that it could lose its political and economic independence to Senegal (Hughes, 1992).

Five years after the end of the confederation and the departure of Senegalese military contingent from The Gambia, the country suffered its only successful coup d'etat on 24 July 1994 when the Armed Forces Provisional Ruling Council (AFPRC) led by the 29-year-old lieutenant Yahya Jammeh toppled the Jawara Government, suspended the constitution and banned all political activities (Perfect, 2010; Wiseman,

1996). The AFPRC led a two-year transition, returning the country to a democratic civilian government. In August 1996, the military government successfully held a referendum on a new constitution that replaced the 1970 constitution, setting the stage for the country's Second Republic. The military administration also established the Provisional Independent Electoral Commission (PIEC) in December 1995 under Decree 62 (Perfect, 2010; Edie, 2000; Wiseman, 1996). The coup leader, Jammeh changed the name of AFPRC to Alliance for Patriotic Reorientation and Construction (APRC) and resigned on 6 September 1996 from the military to run for the presidency (Perfect, 2010; Wiseman, 1996).

Ahead of the first presidential elections under the military administration, Jammeh maintained Decree 89 that imposed a ban on three political parties as well as all holders of executive office in the 30 years prior to the 1994 military takeover from contesting the elections. The only parties that were exempted from the ban were the People's Democratic Organisation for Independence and Socialism (PDOIS) and the People's Democratic Party (PDP). Nonetheless, the three banned political parties, which included the former ruling PPP party, came together to create the United Democratic Party (UDP) in 1996 with Ousainou Darboe appointed as the party's leader and presidential candidate (Perfect, 2010; Edie, 2000; Wiseman, 1996).

The first presidential elections under the Second Republic was held on 29 September 1996 with Jammeh winning 55.8% of the votes (French, 1996). The elections failed to attract many international observers as they were adjudged not to be going to be free and fair given the ban on major political parties and political leaders (Wright, 2010; Edie, 2000). After the presidential election, the electoral body, PIEC held on 2 January 1997 the first elections for the National Assembly with the ruling APRC winning 33 of 45 contested seats, while the UDP won seven seats, the National Reconciliation Party (NRP) took two seats, PDOIS one seat, and independents took the remaining two seats (Saine, 1997). The new National Assembly ushered in the Constitution of the Second Republic that came into effect in January 1997. Section 42 of the 1997 Constitution led to the dissolution of PIEC and the creation of the Independent Electoral Commission (IEC) in April 1997 as the country's electoral body (Edie, 2000; Hughes, 2000; Saine, 1997; IEC, n.d.).

Ahead of the second presidential elections on 18 October 2001, President Jammeh decided in July 2001 to lift the ban on all political parties and politicians (BBC, 2001a). The lifting of the ban saw a significant number of international election observation missions coming to observe the elections. Another notable development that took place was the amendment of the 1997 Constitution, which was passed by the National Assembly on May 15, 2001 and assented to by the president on May 25, 2001. The amendments included the removal of the previous two-term limit on the presidency and the repeal of a second ballot if a presidential candidate fails to obtain 50% of the votes cast on a first ballot and replaced with a simple majority system ('first-past-the-post') with the whole country effectively serving as a single constituency (Saine, 2003; Saine, 2008a). With a 90% voter turnout, President Jammeh won for the second time, taking

52.84% of the votes, which was much lower than his 1996 tally and Darboe, the UDP candidate came second with 32.7% (CNN, 2001). International observers at the time adjudged the results of the elections as credible and a reflection of the will of the voters (CNN, 2001). While Darboe initially conceded defeat and called Jammeh to congratulate him, he later denounced Jammeh's victory on grounds of electoral fraud (Saine, 2003; Saine, 2008a).

While the integrity of the 1996 presidential race was compromised by the ban on political parties and some politicians as well as state repression of journalists, the 18 October 2001 presidential election witnessed a more pronounced pre-election violence and intimidation (Saine, 2003; Saine, 2009). The presidential election was considered by many observers as seriously flawed given that the "balloting was riddled with irregularities and problems, ranging from a truncated campaign period designed to favour the incumbent to instances of intimidation and violence against opposition political leaders and supporters" (Saine, 2003, p.375). The pre-election period witnessed incidents of violent confrontations between rival supporters, harassment of opposition leaders including the arrest of Omar Jallow of the People's Progressive Party and the expulsion of a British diplomat shortly after he attended an opposition rally (BBC, 2001b). Violent incidents were reported in the opening week of the campaign with clashes between rival supporters of the ruling party and the opposition in Farafeni in the central part of the country, resulting in the destruction of two shops and injuries to a number of people (BBC, 2001).

The post-election period also witnessed a wave of arrests of people critical of the government or perceived to be anti-government. These included human rights defenders, opposition activists and journalists with the main opposition party claiming that about 60 of its supporters were held in custody by the police (BBC, 2001c). On 17 January 2002, the second parliamentary elections were organised under the Jammeh administration. However, UDP decided to boycott the legislative polls, accusing the Jammeh administration of rigging the elections and creating an unlevelled playing field (BBC, 2001d). The ruling APRC went on to win an absolute majority in parliament, securing 45 of the 48 contested seats with an additional 5 seats filled by the president (BBC, 2002; Saine, 2009).

The third presidential elections under President Jammeh, which was initially scheduled for October, finally took place earlier on 22 September 2006 to avoid the election coinciding with the month of Ramadan (BBC, 2006). Ahead of the elections, the five opposition parties came together to launch in January 2005 a coalition known as the National Alliance for Democracy and Development (NADD) (BBC, 2005a). However, the NADD coalition fractured as the UDP and NRP left to form an alliance due to dispute over the selection of NADD's presidential candidate. The fracturing played into the hands of Jammeh who went on to win the elections with 67.3% of the vote, defeating Darboe, who came second with 27% of the vote and Halifa Sallah, representing NADD, came a distant third with 6% of the votes, while voter turnout was at its lowest at 58.8% (BBC, 2006). Darboe rejected the results, dismissing the elections as a sham and not free and fair following allegations of widespread voter intimidation (BBC, 2006; Saine, 2009).

The pre-election environment was marred with increased state repression and persecution of critics of the government (Saine, 2008a; Saine, 2008b). Ahead of the election, a prominent journalist, Deyda Hydara was assassinated in December 2004 by hitmen, according to Reporters Without Borders (BBC, 2005b) and a Daily Observer journalist Chief Ebrima Manneh went missing in July 2006 and never to be seen (CPJ, 2009). Furthermore, a coup attempt was reportedly foiled on 21 March 2006, while Jammeh was out of the country in Mauritania. The foiled coup led to the arrests of a number of soldiers, while the army chief of staff Col. Ndure Cham reportedly fled the country as the government clamped down on private media outfits (Saine, 2008a; Saine, 2008b; Saine, 2009).

Re-elected for the fourth time, Jammeh won the 24 November 2011 presidential elections with a landslide victory, 71.5% of the vote, his highest tally ever, while Darboe got 17.4% and Hamat Bah representing the United Front, a coalition of four parties, secured 11.1% of the votes on an 83% voter turnout. Like in 2006, the opposition was fractured as Darboe decided to form the United Alliance with the Gambia Moral Congress (GMC) (Ceesay & Perfect, 2011). This presidential poll was arguably the first election in West Africa that ECOWAS refused to deploy election observers because a member state failed to meet an acceptable threshold for a credible election. ECOWAS stated that it was not sending observers because of "an unacceptable level of control of the electronic media by the party in power... and an opposition and electorate cowed by repression and intimidation" (Al-Jazeera, 2011). Notwithstanding, there were other international observers including the African Union (AU), European Union (EU) and Commonwealth, deploying election observers. The AU reported that the elections were largely credible as voting and counting passed off peacefully (VOA, 2011). The 2011 election was the first time the country introduced a new digital system of voter registration as a platform upon which a biometric matching was conducted (Commonwealth, 2012).

The pre-election period was also characterised by human rights abuses and violations including intimidation, harassments and some arrests (Amnesty International, 2011; ACHPR, 2009). President Jammeh was known to make threatening remarks on state television against his critics and opponents. In December 2010, the campaign manager of the UDP, Femi Peters was arrested, charged and later convicted and sentenced for "control of procession" and "control of use of loud speakers" in public without permission from the Office of the Inspector General of Police, as required under the Public Order Act. He was released on 10 December 2010 following national and international protests. However, international observers reported that the campaign period, voting day and post-election period were largely peaceful without any notable incident of violence (Commonwealth, 2012).

3. Security Context of 2021 Presidential Election

The aftermaths of the 2016 presidential elections set the context for the 4 December 2021 presidential elections. Before the elections, the country was under the firm grip and autocratic rule of Jammeh (WANEP, 2016a; WANEP, 2016b). Since Jammeh ushered in the Second Republic, he had won every election until his surprise defeat in the 1 December 2016 election by Adama Barrow who ran as an independent candidate, representing the country's largest ever opposition coalition of seven (7) political parties. With voter turnout of 59.34%, Barrow won the elections with 43.29% of the votes, while Jammeh came second with 39.64% and Mama Kandeh of the Gambia Democratic Congress (GDC) finished third with 17.07% of the votes (IEC, 2016).

Barrow's victory marked the country's first change of power through election since independence in 1965. Before the declaration of the final results on 2 December, Jammeh conceded defeat and called to congratulate Barrow, stating that "you are elected president of The Gambia, and I wish you all the best", and adding "I have no ill will." (Al-Jazeera, 2016; Perfect, 2017). However, he reversed his decision a week later, announcing his rejection of the results on the grounds of "serious and unacceptable abnormalities in the electoral process" (Reuters, 2016). Jammeh's rejection of the results came after the IEC announced a modification of the final results on 5 December, acknowledging that there had been an error in the counting. The modification of the results reduced Barrow's victory margin from 8.8% to 3.7% and the number of total votes cast by 9.1%. Subsequently, Jammeh's rejection of the results triggered a chain of events that threatened the stability of the country (Perfect, 2017; WANEP, 2017).

In terms of election security, the 2016 election was the most violent that threatened the stability of the country. The pre-election period experienced high-level of political polarisation, increased state clampdown on opposition leaders and government critics as well as rolling street protests that often turned into violent confrontations with security forces using heavy-handed tactics including live ammunitions (Human Rights Watch, 2015; FIDH, 2016). Demonstrations held in April 2016 calling for an electoral reform for the presidential election were violently dispersed by the police, resulting in the arrest of dozens of opposition supporters and leaders including Darboe and the death in custody of three of them including Solo Sandeng, a youth leader of UDP (FIDH, 2016). The demonstrations were against the changes to the 2009 Elections Act made in July 2015 that introduced stiff eligibility criteria to participate in the presidential election. These changes require a Gambian to make a 500,000 dalasis deposit to be eligible to contest the presidential elections and refundable only if the candidate secured 50% of the votes cast. A political party should make a payment of 1 million dalasis and must receive at least 10 000 signatures of registered voters and have one representative in every electoral constituencies (Foroyaa, 2015). Also, the maximum age to be a presidential candidate was brought to 65, a change, which was deemed as a way to eliminate the main opposition leader, Darboe, who was over 65 at the time (Foroyaa, 2015; Perfect, 2017).

While the 2-week campaign period and the polling day did not witness any violent incident, the government blocked mobile messaging applications such as WhatsApp and Viber as well as internet access and international phone calls before and during voting. Also, the Gambian authorities only allowed a handful of AU observers and banned observers from the EU from taking part in the monitoring and observation of the elections, while ECOWAS refused for the second time to deploy observers over concerns that the elections would be flawed (Nije & Saine, 2019).

A post-election political impasse ensued after Jammeh refused to concede defeat and called for a re-run of the presidential election (Onuoha & Engwu, 2017; Hultin, et.al., 2017). President-elect Barrow had to flee The Gambia and sought refuge in Senegal, where he was sworn into office at the High Commission of The Gambia, making him the first Gambian president to take the oath of office outside the country. After a series of diplomatic efforts to persuade Jammeh to concede, his insistence to stay in power brought The Gambia on the brink of war with an ECOWAS regional intervention forces as the regional bloc had resolved to ensure that Jammeh's defeat was upheld. However, the military confrontation was averted when Jammeh finally left the country on 21 January 2017 and went into exile in Equatorial Guinea (Hartmann, 2017). This paved the way for the establishment of an ECOWAS Mission in The Gambia (ECOMIG) to ensure the country's stability and return of President Barrow to assume office, bringing to an end Jammeh's 22-year reign (Onuoha & Engwu, 2017; Hultin, et.al., 2017; Perfect, 2017).

Despite Jammeh's departure into exile, the country's political polarisation resumed after a brief respite as President Barrow sought to consolidate his power and failed to fulfil some of his electoral pledges such as stepping down after three years in office and reinstating the two-term presidential limit. The polarisation deepened with heightened political tension when President Barrow broke away from his former political party, UDP to establish his own National People's Party (NPP). It was within this tense political and fragile security context that the 2021 presidential election was held.

4. Pre-Election Period

The end of Jammeh's 22-year dictatorship marked the end of the country's long campaign of terror and rampant human rights abuses and violations suffered by Gambians. His departure also ushered in renewed hope of a new era in the country's democratisation process, opening the space for genuine political participation without fear of harassment and intimidation.

When President Adama Barrow took office in 2017, he signalled the start of a promising era by releasing all political prisoners and setting up the Truth, Reconciliation and Reparations Commission (TRRC) to establish a historical and reliable record of human rights abuses and violations under the former President Jammeh administration. Gambians acknowledged the significant improvement in terms of civil

liberties and freedom of expression, including passing an Access to Information Act 2021 (The Point, 2021b). While the human rights situation improved to a large extent, the Barrow administration also took actions that raise fear over a gradual return to authoritarian rule (Amnesty International, 2021a). Under the new dispensation, security forces continue to use excessive force to disperse peaceful protestors, whilst arbitrary arrests and detention still occur, although in small number compared to the Jammeh era. Besides, the Barrow administration has stalled in undertaking many important political, legal and constitutional reforms such as the introduction of a new constitution that would reintroduce the two-term limit for the presidency (Amnesty, 2021a).

At present, The Gambia is the only ECOWAS member state without a term limit. Jammeh amended in 2001 the 1997 constitution to remove a two-term limit provision to enable him to prolong his stay in office. The removal of the term limit is not in principle in breach of the letters, but likely the spirit, of the ECOWAS Supplementary Protocol on Democracy and Good Governance. A two-term limit is not one of Constitutional Convergence Principles of the protocol. At a regional summit in Accra in 2015, ECOWAS decided to cancel a proposal to impose a region-wide two term limit following opposition mainly from The Gambia and Togo (Reuters, 2015). This decision by ECOWAS did not go down well with proponents who argued that a no-term limit can be a contributing factor towards political instability in fragile democracy.

As part of his electoral pledges, Barrow promised to deliver a new constitution that would undo Jammeh's oppressive laws that were used to clamp down on his opponents and curtail civil liberties, and reintroduce the two-term limit. In 2018, a constitutional review process began with the creation of the Constitutional Review Commission (CRC) which organised several consultations nationwide, as well as in several European countries and in the United States where there is a large Gambian diaspora (IDEA 2020; Nabaneh, 2020). On 30 March 2020, the CRC submitted its draft constitution to Barrow. However, the constitution was voted down by the president's backers who were not in favour of many provisions in the constitution including the retroactive application of the two-term limit (Nabaneh, 2020).

The tense pre-election environment raised concerns over the potential of the presidential race to inflame political and ethnic violence in the country. This pre-election section examined the political polarisation, the alliance building and preparations ahead of polling day.

4.1. Political Polarisation

In the pre-election period, there were heightened political tensions as the relationship between President Barrow and his former political party, UDP deteriorated (Panapress, 2019). The dispute between Barrow and his former party leader and vice president, Darboe took a turn for the worst in January 2019 when it became clear that the UDP party wanted Darboe as the party's presidential

candidate for the 2021 elections, sending a clear message to Barrow that the UDP did not wish for him to serve a second term. Further indication of the worsening relations was when Barrow dismissed in March 2019 Darboe as his vice president, a position he held since June 2018 (Foroyaa, 2019; The Standard, 2019).

Since the fall out between Barrow and the UDP party, the political tension in the country heightened with intermittent protests that sometimes deteriorated into violent confrontations between protesters and security forces responding with excessive force. In January 2020, a group called “Three Years Jotna” (meaning in Wolof: It is now three years) comprising mainly of UDP supporters took to the street to demand that President Barrow honours his promise of stepping down after three years in office. The security forces dispersed the protestors using excessive force including live bullets, killing three people, wounding others and arresting over 130 people (The Point, 2020; Civicus Monitor, 2020). During the protest, police officers raided the offices of radio station, Home Digital FM, arrested the station manager and owner and ordered the station to stop broadcasting. Another radio station, King FM, was also shut down, while three people were arrested. The authorities accused the radio stations of ‘allowing their media to be used as platforms for inciting violence, fear-mongering and live broadcasts urging Gambians to join Jotna demonstrators, all calculated to threaten the security and safety of the Gambia’. Later, the government banned the group on the grounds that it, “subversive, violent and illegal movement” (Civicus Monitor, 2020). Furthermore, there were inflammatory remarks and speeches from leaders and supporters of the president’s party and ruling coalition as well as from the main opposition party. President Barrow also made publicly a remark in August 2021, threatening to ban all political activities after his re-election, although the government spokesperson later said the president had no intention to do so (The Standard, 2021a).

The exploitation of ethnic cleavages before and during the campaign period heightened ethnic polarization in the country. In The Gambia, the former ruling APRC is perceived as largely a party of “Jola”, the ethnicity of Jammeh, while the UDP and GDC are perceived to be “Mandinka” and “Fula”, which are the ethnicity of Darboe and Kandeh the leaders of these parties respectively. However, the perception of UDP as a Mandinka party is much stronger given the preponderance of the party’s supporters of Mandinka ethnicity, which is the country’s largest ethnic group, comprising 33% of the population (CIA, 2022). In the past, Jammeh had played the ethnic card, alleging at one point that a Mandinka would never be a president in the country (Taylor, 2016). The perception that the UDP is seeking to “mandinkanise” the country if the party wins the presidency tends to be widespread and continues to generate tensions with potential negative impact on the social cohesion and stability of the country in the years ahead. During the campaign period, political elites brought to the fore the ethnic and anti-immigrant card to attract empathy and canvass votes from ethnic groups. The UDP party had to release a statement to counter false report that the party would deport all Senegalese citizens if Darboe won the elections (Fatunetwork.net, 2011). There were also cases of post-electoral violence recorded in some constituencies within the Kanifing Municipality and West Coast Region. On 6 December 2021, following

the announcement of the final results, UDP supporters in both Banjul and Serrekunda protesting the re-election of President Barrow were dispersed by police using tear gas and baton, injuring a few of the protestors (The Standard, 2021d).

Although the media/social media has been instrumental in energizing political activism and dialogue during the campaign period, there were instances of violent communication and hate speech in the run-up to the election and following the declaration of the election result (WANEP, 2021: WFD, 2022). In July, the National Human Rights Commission (NHRC) had to issued a press release condemning the rising level of bigotry and political intolerance in the country after an attack on UDP monitors in Kanilai and the circulation of audio messages on WhatsApp inciting ethnic division (The Point, 2021a).

It is in this environment of social and political tensions that civil society actors came together to help diffuse the tension and prevent it from degenerating into open violent conflict along ethnic lines.

4.2. Electoral Reforms

Efforts to enhance the political environment included some reforms of the electoral laws. Two important electoral reforms were made ahead of the elections in a bid to remove obstacles under the Elections (Amendment) Act 2015 that the Jammeh administration put in place to restrict the participation of the opposition (Foroyaa, 2015). The first was the Elections (Amendment) Act of 2017, which reversed the exorbitant amount to be deposited by candidates as part of the nomination process for the presidential, parliamentary, mayoral and local government elections. The amendments to the Elections (Amendment) Act 2015 saw the amount of half a million dalasis reduce to D10,000 as a deposit for presidential candidate, while the D50,000 for a parliamentary candidate reduce to D5000. The second reform was the Constitution (Amendment) Act 2017, which removed the age limit of 65 years for presidential and vice-presidential candidates (Fatunetwork, 2017), which was put in place by the Jammeh administration with the aim of denying Darboe the chance of taking part in the 2016 presidential race (WANEP, 2021).

Another important legislation passed was the Access to Information Act 2021, considered as an important milestone in the promotion of accountability and transparency in governance (The Point, 2021b). CSOs were pushing for several progressive reforms including the above-mentioned ones. They made significant contributions in campaign and supporting efforts towards the passage of these legislations.

4.3. Registration Period

The IEC conducted a compilation of voter registration between May and July 2021 and displayed the register for public scrutiny. Revising courts were established to deal with cases of alleged fraud; however,

no case was filed. During the registration, a controversial issue arose regarding the power of the Mayor of Banjul, who is an elected official, to provide attestations for the verification of voters to acquire voter ID cards (The Standard, 2021a). Two civil society organisations took the IEC to court regarding its decision to allow the Mayor of Banjul to provide these attestations. The court ruled against the IEC, stating that the law does not provide for the Mayor of Banjul to provide attestation. Nevertheless, the court did not order the removal of the names of the people who received letters of attestation from the voter register, as requested by the applicant, noting that the authority to do so was vested in the Revising Court. There was no report of these cases presented in front of the Revised Court (WFD, 2022).

After the registration, the electoral body issued nomination papers to presidential aspirants between September 30 and October 29, 2021. The completed nomination papers were received and vetted. There was public scrutiny of the nomination process, and concerns were raised that the five minutes allotted to individuals to scrutinise the 21 nominations was grossly insufficient; Out of the 21 nominated candidates, only six were approved as the final list was announced on November 6, 2021 (The Point, 2021c; Reuters, 2021). The six presidential candidates were: Adama Barrow of NPP, Ousainou Darboe of UDP, Essa Mbye (independent candidate), Mama Kandeh of Gambia Democratic Congress (GDC), Halifa Babacar Sallah of People's Democratic Organisation for Independence (PDOIS) and Abdoulie Ebrima Jammeh of National Unity Party (NUP). Disqualified candidates, Dr. Ceesay of Citizen Alliance (CA) and Mai Fatty of the Gambia Moral Congress (GMC) decided to challenge their disqualification in court. On November 24, a judge ruled in favour of Mai Fatty, who was disqualified from running for including invalid names on his nomination list. The court ordered the IEC to allow Fatty to submit fresh nomination list. The IEC decided to appeal the ruling at the Court of Appeal (The Standard, 2021e). The protracted nature of the appeal made it impossible for the court to reach a decision in time to allow Fatty to be on the ballot box on polling day. Using the formal legal process to contest decision of the electoral body should be encouraged as a peaceful means of resolving dispute. Taking to the street to resolve electoral dispute poses the risk of the situation devolving into violence.

Generally, the nomination period was tense with presidential aspirants followed by large crowd, which posed a crowd control challenge. While there were no notable outbreak of violence, this period has the potential to trigger violent confrontations between supporters and security forces who tend to react with excessive force as a crowd control method.

4.4. Political Alliance Building

Ahead of the election, efforts to build crossparty political alliance generated controversies and tensions. The Gambia's one-round simple majority electoral system requires alliance-building to ensure success at the ballot box. Barrow was able to outperform his opponents by receiving more endorsements from disqualified candidates and political parties than any other contestants. The president's alliance with the

former ruling party, APRC of former President Jammeh was roundly condemned for associating himself with the party of the former dictator accused of human rights violations (The Standard, 2021b; RFI, 2021). Barrow's alliance with APRC fractured the party following Jammeh's refusal to back the president, while other APRC stalwarts decided to give their support to Barrow. As a result, a splinter group of the APRC emerged known as the No Alliance Movement (NAM) endorsed by Jammeh himself. The NAM group went ahead and formed alliance with the 2016 third-place finisher, Mama Kandeh of GDC. The UDP performed poorly with about two endorsements from disqualified candidates, while the NUP candidate and Essa Faal, the former Chief Prosecutor at the TRRC barely received any endorsements.

Due to the high number of endorsements and use of state resources, Barrow's support base increased significantly and cuts across ethnic, regional and religious lines and improved his chances of acceptability and popularity in contrast to other opposition parties. The alliance building had some implications for the peace and security of the country as President Barrow's decision to build alliance with the APRC stirred some public anger with concerns that the move could jeopardise justice for victims of former President Jammeh (RFI, 2021).

4.5. Contentious Issues

A number of other contentious issues emerged during the pre-election period that heightened the risk of civil unrest. These issues included:

- i. Barrow's refusal to honour an electoral pledge to step down after three years in office,
- ii. the publication of the report of TRRC, which was set up to probe human rights violations committed between July 1994 to January 2017 and foster national healing,
- iii. the failed passage of the Constitution Promulgation Bill 2020 that would have ushered in the Third Republic, and
- iv. the implementation of the findings of the Janneh Commission of Enquiry of financial crime of the previous government and the eligibility of Darboe to run for office..

Barrow's refusal to step down after three years in office led to street protests that turned violent when police used heavy-handed tactic to disperse the protestors. Many of the protestors were arrested and charged (The Point, 2020; Civicus Monitor, 2020).. The delay of the publication of the TRRC report raised concerns as to whether the government was going to disregard the damning report about Jammeh's excesses in exchange for the political support of his former ruling party. Human right groups, victims and their family members and friends as well as other civil groups felt disappointed by Barrow's alliance with the former ruling party and were angry by the extended delay of the publication of the report (RFI, 2021). However, the report was finally submitted to the president on 25 November 2021, very close to the election probably after it had become clear that Jammeh was not going to support President Barrow as his splinter group the No Alliance Movement (NAM) had decided to back Mama Kandeh. According

to Fatou Njie, an activist and a law student, “the politicisation of the TRRC report did not bode well for the dispensation of justice for the victims and their family”.

The draft Constitution Bill and the implementation of the report of the Janneh Commission generated a lot of controversies (WANEP, 2021). Regarding the draft constitution, it was rejected by the National Assembly on 22 September 2020, which was a great disappointment for many Gambians hoping to turn the page of the Jammeh era. The almost lack of action by the government to implement the recommendations of the Janneh Commission, which was established in 2017 to investigate the financial activities of public bodies, enterprises and offices during the Jammeh administration and submitted its report in September 2019, caused some commotion, creating lack of public trust in the government's commitment to hold implicated former government officials to account (WANEP, 2021).

Last but not the least, the clamours from the president's supporters calling for the disqualification of Darboe from the elections on the grounds that he did not meet the full criteria to run for the presidency would have caused an upheaval if Darboe was disqualified. The call for Darboe's disqualification was on the ground that he was dismissed from office as the vice president and also imprisoned in July 2016 for participating in an authorised demonstrations under the Jammeh administration (The Point, 2021e). According to Section 63 of the constitution, a candidate will not be eligible to run for the presidency if he was dismissed from office or imprisoned. However, lobbying and mediation took place in the background for the government and electoral body not to take these issues into consideration as Darboe was a political prisoner and his dismissal as the vice president was also a political decision. In the end, the IEC never took those issues under consideration and approved Darboe's candidacy. A rejection of Darboe's candidacy would have triggered civil unrest as his supporters would have taken to the street to protest.

4.6. Campaign Period

The official presidential campaign period started 9 November and concluded on 2 December 2021 to allow for a two-day cooling off period. The campaign took place in a competitive and vibrant campaign environment. There were the Covid-related restrictions in place, however, the majority of Gambians did not adhere to them during campaigning with very few people, especially the presidential wearing masks and very little social distancing at rallies. To prevent clashed between rival supporters, parties were allocated separate time of the day and localities to hold political rallies. This helped to a large extend for a relatively peaceful campaign without any serious incidents of violence.

While the campaigning was by and large issue-based in compliance with the Code of Campaign Ethics for parties, there were issues of misinformation, disinformation and some instances of hate speech. CSOs observers noted the use of state resources such as vehicles by President Barrow in his campaign (Voice

Gambia, 2021) in violation of the Election Act. There were also allegations of distributions of money through village chiefs and buying of voters cards, which are in breach of the IEC code of Ethics. There were no reported measures taken by the IEC against such allegations to determine the veracity or otherwise.

4.7. Election Violence Mitigation Actions

Prior to the start of the campaign period, political parties signed on October 27, 2021 the Janjanbureh Peace Accord to commit to the preservation of the peace and stability of the country (Foroyaa, 2021). While the signing of the accord was highly commendable, not all of the key leaders of the main political parties were there to append their signature, thereby watering down its importance. The initiative around the Janjanbureh Peace Accord, promoted by the Inter-Party Committee (IPC), was indicative of the antagonistic environment and heightened risk of civil unrest. A Memorandum of Understanding (MoU) and a code of conduct (CoC) was introduced to diffuse political tensions and promote peaceful elections. On November 11, all the presidential candidates signed the Code, pledging to ensure peaceful presidential elections and seek legal redress over electoral disputes (The Point, 2021d). Some of the commitments stipulated in the CoC include to undertake rule issue-based political campaigns at all levels and to publicly condemn violence, intimidation and political thuggery at any time. There were regular briefings from the IEC about the progress of the electoral process to keep abreast various stakeholders.

The Gambia Police Force (GPF) put in place a contingency plan overseen by a Joint Security Command (JSC) purposely for the December 4, 2021 presidential election. The contingency plan contains provisions for communication outreach, robust patrol, observation, intelligence gathering and decisive operations. Led by The Gambia Police Force, the JSC was composed of members of the Armed Forces, the State Intelligence Services, the Immigration Department, the Fire and Rescue Service, and the Prisons Department. Personnel from these services were deployed to the polling stations across the country with a special focus on crime hotspots and political party offices. Each of the six presidential candidates were provided with five officers for personal protection. On December 2, 2021, The Gambia Police Force issued a press release exhorting the public to cooperate with the security personnel at polling stations to ensure a smooth and peaceful voting process (FactCheckGambia, 2021). For the first time in the country's history, all presidential candidates were provided with security throughout the campaign, which contributed to a secure environment. While the GPF took proactive measures to be in a strong position to quell any unrest, the force limited resources and heavy-handedness in quelling protests were some of its limitations.

5. Polling Day

The total number of registered voters for the election was 962,157 of which 57% females and 43% males and 57% were between 18 and 35 years. Voting was conducted in 1554 polling stations across the country's seven regions (IEC, 2021; WANEP, 2021b). On the whole, the polling day passed off without any notable incident of violence. Voters came out in their numbers eager to exercise their franchise. International and domestic observers were deployed across the country to observe the opening, voting, closing and counting to determine the integrity of the voting process.

5.1. Opening of Polls & Voting Period

Based on reports from the CSO observers, most polling stations were opened on time with long queues reported at the opening of polls, which reflected the high voter turnout. Of the polling stations observed, 77% opened on time while 23% were late by over two hours in some instances (WANEP, 2021b). Voting was generally peaceful as electoral procedures were observed except for a few isolated disruptive incidents, including Serrekunda West, Latrikunda and Kaur Wharf Town in Central River Region. Calm and order continued generally until the close of polls across the country.. During voting, considerations were given to persons with disability, pregnant and nursing mothers and elderly persons (WANEP, 2021b).

The secrecy of the vote was guaranteed in all polling stations observed. Officials of IEC and security personnel were present and voting materials were not in short supply. There was fair representation of females present at the polling station either as IEC officials or party agents. There was also the presence of international and domestic observers at the polling stations mainly from the CSO Coalition on Elections, Gambia Participates, NHRC, Peace Ambassadors–The Gambia, and international observers from ECOWAS, AU, Commonwealth, Electoral Institute for Sustainable Democracy in Africa (EISA), West Minster Foundation for Democracy, and the Network of National Human Rights Institutions in West Africa.

Notwithstanding, some lapses were observed including the absence of clear signposts with instructions to direct voters to their specific voting booths. Although the IEC made provisions for COVID-19 protocols, there was limited compliance from the public (WANEP, 2021b). The voters list was not posted at the time of opening of the polls at the Jalambereh polling station in Jarra Central Constituency. At Jimara Demba Kunda, Upper River Region, the hole of the ballot drums was not wide enough to allow the smooth casting of the marbles. The Presiding Officer and Security Agents had to find ways to widen the hole of the ballot drums to enable the marbles to easily pass through. The observers were informed but they were not allowed to closely witness the procedure (WANEP, 2021b).

In Banjul Central, one of the polling stations at the Macarthy Square, the Presiding Officer did not count the tokens given to her prior to the opening of polls. However, no party agents raised an issue. It was also observed that 83% of party agents were not present at the time of the opening of polls. Nonetheless, these lapses did not negatively impact on the overall integrity of the election (WANEP, 2021b).

5.2. Closing of Polls & Counting of Ballot

Based on the reports of CSO observers, about 94.4% of polling stations closed on time, whereas voters in the queue before closing time were allowed to vote in accordance with the law. Polling staff followed laid down rules and regulations for the closure of polls and almost 90% of polling stations began counting immediately after closing with close to 95% of the counting was observed by election observed. The final tally was all signed by party agents in the presence of observers in most cases. As such, the results of the elections were to a greater extent a reflection of the will of the majority of voters (WANEP, 2021).

In short, the closing and counting stage passed off without any significant violent incidents of violence.

6. Post-Election Period

The post-election period is often the moment for outbreak of violence in many democracies as losing candidates are disposed to rejecting the results of the election on the ground of electoral fraud. The rejection of the results tends to trigger spontaneous protests by supporters of the losing candidates that in many cases quickly devolve into violent confrontations with supporters of the winning party or with security forces that use excessive forces including live ammunitions.

6.1. Announcement of Results

With a high voter turnout at 89%, the head of the IEC, Alieu Momarr Njai announced on 5 December the final results of the presidential race, with incumbent President Barrow of NPP obtaining 53% of the votes while former Vice President Ousainou Darboe and leader of the opposition UDP securing 28% and Mama Kandeh of GDC finishing third with 12.3% of the votes (IEC, 2021; WANEP, 2021b).

Barrow's margin of victory, which almost doubled the tally of Darboe, came as a shock to the opposition camp in a race that was expected to be a close contest. Before the official announcement, Darboe, Kandeh and independent candidate Essa Mbye Faal made a joint statement to reject the results on grounds of electoral fraud. However, Barrow noted on his Facebook page on 6 December that Faal and last-place holder Abdoulie Ebrima Jammeh had called to congratulate him.

6.2. Electoral Dispute

Following the announcement of the results, there was spontaneous protests by supporters of the UDP. Security forces intervened with teargas to forcibly disperse the protestors resulting in injuries of some protestors. The leader of the UDP, civil society actors and other partners stepped quickly to call for calm and urged to seek legal redress.

The runner-up Darboe together with Kandeh maintained their contestation of the election results, resulting in the UDP filing a case at the Supreme Court to challenge President Barrow's victory (The Voice, 2022). The UDP lost the case as the Supreme Court confirmed President Barrow's re-election to a second five-year term. After the decision of the Supreme Court, the UDP filed on 22 December motion ex-parte for review of the decision. The motion ex-parte did not change the outcome of Court's decision (Foroyaa, 2022).

The peaceful resolution of the election dispute through the court was a high point of the presidential elections demonstrating some level of maturity by the opposition and the efforts of multiple actors including CSOs to ensure a peaceful outcome of the elections..

7. Gender Dimensions

Gambian women constitute 50.4% of the country's 2.4 million population and make up over half of the registered voters (IEC, 2021). The 1997 Constitution recognises the equal rights of women and full political participation. Article 28 of the Gambian Constitution states that, 'Women shall be accorded full and equal dignity of the person with men,' and that, 'Women shall have the right to equal treatment with men, including equal opportunities in political, economic and social activities.'¹⁰ Article 214(4) on political objectives states that, 'in the composition of the government women shall be fairly represented'. Moreover, The Gambia has ratified the United Nations Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), which has been domesticated into national law through the Women's Act 2010, whose Section 15 stipulates that every organ and public institution should adopt temporary special measures to accelerate women's equality. Furthermore, The Gambia has ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (The Maputo Protocol). The Gambia has to work in compliance with its laws and these instruments to redress gender disparity in terms of political participation and allocation of leadership positions.

7.1. Women Representation

Women's participation is largely limited to voting and restricted when it comes to contesting elective positions. The first presidential election under the new democratic dispensation underscores the

challenges faced by women to emerge as flagbearer of a political party in The Gambia. Only a single female independent candidate, Marie Sock emerged as a presidential aspirant, becoming the first Gambian woman to file nomination for the presidency. However, she could not make it to the ballot box as her nomination was rejected by the IEC (RFI, 2021). Out of 13 political parties that emerged to contest the presidential race, none of them had a female flagbearer. This outcome is a reflection of the gross gender imbalance in political parties at the leadership level. Women are largely allocated subordinated roles with little chances to climb up the ladder (Nabaneh, 2022).

The political space in The Gambia is male-dominated with the women largely marginalised (Nabaneh, 2017; Nabaneh, 2022). This is so despite the fact that women made up almost 51% of the population and 57% of the country's close to one million registered voters. Regionally, there is a higher percentage of women voters: Banjul 52.5%, Kanifing 54.4%, Brikama 56.3%, Kerewan 56.8%, Mansakonko 54.9%, Jajambureh 57.6% and Basse 61.9% (IEC, 2021; WFD, 2022). Prior to 2021 elections, there were only 4 women out of 23 members in the cabinet and 6 out of 58 members in parliament (IEC, 2021; WFD, 2022). At the local level politics, women were also grossly underrepresented with only eight out of the 120 councillors being women (IEC, 2021; WFD, 2022). The marginalisation of women in politics is deep-rooted in the tradition and institution of the country. Generally, the political parties have designated Women's Wings to incorporate the role of women. Some political parties have established voluntary gender quotas for women candidates in parliamentary elections and for party positions. For instance, UDP has a 30% quota, while the minority has a gender parity policy. However, they remain underrepresented compared to their male counterparts. While many political parties have a women's wing within their structures, women tend to be appointed for secondary roles (Nabaneh, 2022).

Women are more valued for their voting power in election given their majority. Women could be found in other committees especially in mobilising and food committees, while the men dominate the more important committees where major decisions are made.. Gender stereotypes are still resilient in many aspects of public life in the country (Nabaneh, 2017). These stereotypes must be addressed to empower Gambian women to seek the highest office in the country. A boost in the number of Gambian women being represented and playing leading roles in the country's politics and election could contribute towards improving security nationally and in times of elections.

The lack of women flagbearer for political parties is due to a number of factors that have served as barriers to their political advancement. Historically, the two previous governments since the country gained independence did not open the political space for a genuine democratic competition for the highest office (Nabaneh, 2017; Nabaneh, 2022). Under former President Jammeh, the political environment was not conducive for women politicians to aspire to becoming the flagbearer of a party for fear of their safety. Another factor is low educational attainment by a significant number of Gambian women, which disempower them to dare to take up the challenge to seek the top leadership position in a

political party. Reports have shown the gender disparities in the country's education system. While there is gender parity at the lower basic level of education, the same cannot be said at the upper basic level, senior secondary level and university. It was reported that only 25% of girls complete senior school compared to 32% of boys. The disparity is more pronounced in rural areas where women experience high rate of early marriage and are confined to the house to take care of the household. Low educational attainment in turn impact negatively on the financial ability of women to compete at the highest level (Nabaneh, 2017; Nabaneh, 2022).

Nevertheless, there is a widespread support for the introduction of the quota system in The Gambia as a way to boost women's political participation and representation. A survey by Afrobarometer in 2018 showed that over 85% of respondents supported a constitutional change that would mandate a quota system for women's representation in the National Assembly (Nabaneh, 2022). CSOs have been campaigning and lobbying for a constitutional change to enhance women's representation in the country.

7.2. Women Participation

In terms of the participation of women in the presidential elections, they were largely visible and involved in the electoral process as part of political parties, the electoral body and civil society actors. The IEC trained and appointed a significant number of women in conducting the polls on polling day. Women were present across the country and election observers including the CSO Coalition on Elections' Situation Room acknowledged that women were also fairly represented as party agents and security officials at the polling stations. They were present as polling officials as well as party/candidate agents and security officers at polling stations across the country. Women were actively engaged in voter education, campaign and advocacy to ensure a peaceful election.

In the course of the presidential election, women were largely present and involved in political rallies and part of the entourage of the presidential candidates. The Women Mobiliser units of many parties held meetings on their own across the country. In general, women were more prominent in organisational and logistic roles and only few were on the podium for largely minimal time in comparison to the men who were always the main speakers.

8. Contribution of CSOs

CSOs in The Gambia have made significant contributions to ensure the presidential elections passed off peacefully. Civil society actors organised several activities including training, voter education, media monitoring, partnership building and election observation. Their participation contributes to enhancing the integrity and legitimacy of the electoral process.

8.1. CSOs Landscape

The CSOs landscape in The Gambia has evolved with the establishment of many umbrella, national and community-based organisations that are actively engaged in many areas including the promotion and defence of democracy, good governance, rule of law, human rights, peace and credible elections, socio-cultural and economic development among others. A key national umbrella organisation is The Association of Non-Governmental Organisations (TANGO) that was founded in 1983 as a platform to avoid needless duplication by CSOs working on the same issues in The Gambia. Before the creation of the first CSO Coalition on Election-The Gambia (CCE), now comprising a membership of 30 organisations to monitor the entire election process in the country, in 2006 and spearheaded by the West Africa Network for Peacebuilding in The Gambia (WANEP-Gambia), there were hardly any CSO platform for election observation in the country. By then, the involvement of most Gambian CSOs in election observation was through the invitation of international NGOs. In other word, the creation of the CCE platform was a landmark development as election monitoring and observation in the past in The Gambia was mainly conducted by organisations outside the country with the assistance of few Gambia-based organisations.

This initiative has inspired the creation of many other coalitions in the country such as the CSO Gender Platform, the Civil Society Coalition on Access to Information among others. Alongside the CCE platform, other CSOs, like the Peace Ambassadors, have developed election monitoring and observation as part of their programmes. This development strengthens the role and participation of Gambian CSOs in enhancing the credibility and transparency of elections in the country.

8.2. Partnership Building

In preparation of the presidential elections, the CSO Coalition on Election-The Gambia held several meetings with member organisations to draw up its action plan and bring on board new members as well as expand its partnership to enable the active participation of multiple actors in promoting transparency and accountability in the entire electoral process. As the coordinating organisation of the CSO Coalition, WANEP-Gambia collaborated with other regional and international entities including UNDP and other donors to provide capacity building training for the coalition.

Alongside the work of the CSOs Coalition, the National Election Response Group (NERG), spearheaded by WANEP under the EMAM project funded by the European Union, was established in July 2021 purposely for the presidential election. The primary objective of NERG was to discuss, develop and recommend response strategies to violent threats to the 2021 election. The NERG comprised eminent persons from key state and non-state institutions to complement Government's efforts in the prevention and mitigation of violence before, during and after the election. NERG members carried out behind-the-scene missions to engage with candidates and their parties for peaceful resolution of dispute. A senior NERG official in an interview noted "most of the work of the group is of sensitive nature and was done outside

the limelight of the media as sometimes some media attention could be more of a hindrance in the process”.

8.3. Campaign and Lobbying

In the pre-election period, CSOs engaged in campaigning and lobbying to push for new and progressive legislations that will further expand the democratic space and strengthen the democratisation process. An important initiative by CSOs was the production of a Women's Manifesto calling for affirmative action to increase women's participation in executive and legislature under the new government. Also, the Civil Society Gender Platform Initiative on Transformative Justice provided support for one of the three female members of the National Assembly in proposing a private member's bill for the creation of 16 reserved seats for women (including one PWD). This bill, which was still under consideration, was an important step towards increasing the representation of women and other disadvantaged groups.

A key CSOs coalition success the passage of the Access to Information Act in July 2021. The passage of this important legislation was partly the result of the work of the Coalition on Access to Information, which was formed uniquely to campaign and lobby the National Assembly for this bill. The efforts of CSOs were supported and complemented by international partners and donors. The Act recognises access to information as a human right, facilitates the work of the media and provides Gambians with access to information needed to make more informed decisions. This piece of legislation is fundamental to a democratic and open society where access to information is critical in holding the government to account.

8.4. Training

Capacity building was a key component of civil society activities to equip primarily CSO actors with the right skills and knowledge to be able to discharge in an effective and professional manner their duties and responsibilities. To this end, a number of training workshops and seminars were organised to enhance the knowledge and skills of the civil society actors at the preparatory stage until closer to the polling day. Training on mediation, conflict analysis, elections monitoring and observations amongst others were held across the countries.

In June 2021, WANEP brought together experts to validate a set of indicators and hotspots as well as to map key stakeholders to facilitate intervention. WANEP through its National Early Warning System (NEWS) programme, developed indicators to monitor and report on the electoral processes with a view to preventing / mitigating electoral and political violence. The indicators covered various aspects of electoral processes from campaign to voting and post-election periods specifying the kind of issues and stakeholders to monitor in the election. The experts were drawn from relevant state and non-state actors

across the country to validate the indicators based on their knowledge and expertise of the political and security situation of the country.

Furthermore, 20 conflict monitors were trained and equipped with tablets before their deployment in hotspot areas across the country. The monitors sent in situation and incident reports straight on the "GAMBIAELECTS" platform. The NERG accessed the information from the platform and analysis generated from the data collected to initiate timely and adequate response. As part of the broader response strategy, state and non-state actors were trained on dispute management to intervene in timely fashion on disputes at different level before degenerating into an outbreak of violence.

8.5. Voter Education

Voter education is also another vital element in enabling the electorate to exercise their franchise. CSOs independently organised voter education activities as well as worked in partnership with the NCCE across the country to educate the public on the electoral process and their rights and responsibilities. An integral part of the CSO Coalition on Election led by WANEP was the incorporation of peace education in the voter education activities to imbibe on voters, who are also largely ardent party supporters, to put the peace and stability of the country above all else.

The actions of the CSOs Coalition on Election were largely aimed at the youths who are used by politicians to foment trouble. Members of the CSO Coalition on Election advocated for peaceful elections, engaging with various actions including the Gambia Police Force, the Gambia Supreme Islamic Council and Christian Council, the IEC, the NHRC, the National Youth Council (NYC), the Gambia Press Union and Gambia Women Federation as a force multiplier to spread the message of peace and stability.

8.6. Media and Conflict Monitoring

The CSO Coalition on Election led by WANEP worked with the media and relevant state actors to promote responsible and free media environment. The Gambia has witnessed a significant growth in the number of media outfits with about five private TV stations alongside the single state channel, the Gambia Radio and Television Services (GRTS). Alongside several newspapers and a number of online-only media outlets producing video and written content, the country also has about 41 radio stations and nine community radio stations that operate across the country (WFD, 2022). As an important medium to reach voters, the Elections Act requires equal airtime on public radio and television for candidates, with the time determined by the IEC taking into account the number of candidates. While the Rules limit paid political advertising on private radio channels to 10 minutes daily, there is no such restriction on private TV channels. While candidates were guaranteed equal airtime, President Barrow tends to have more airtime than other candidates, especially on private channels where there are no restrictions. This imbalance creates an unlevel playing field given the resource at the disposal of the incumbent.

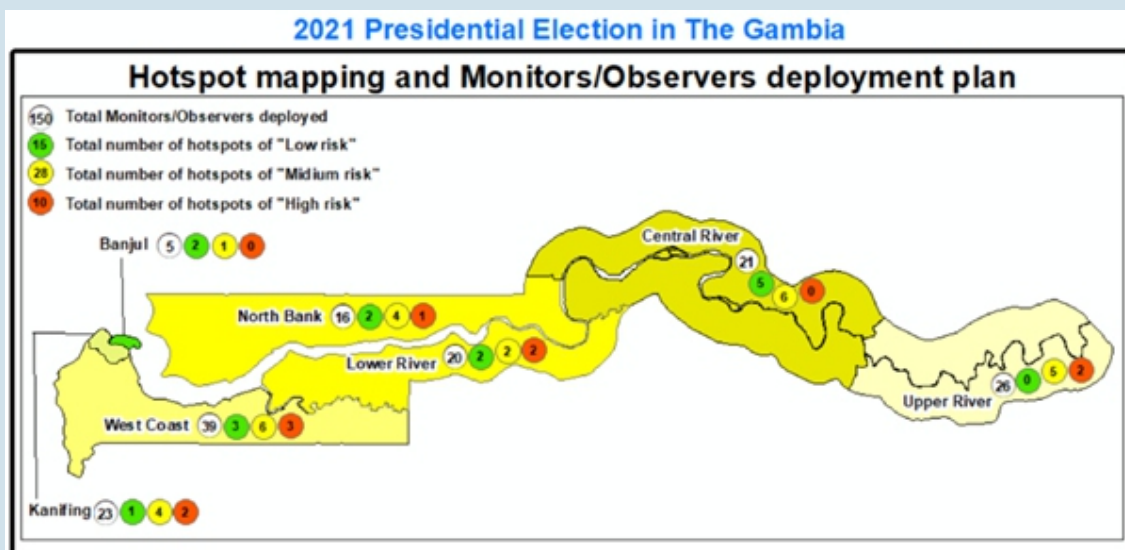
The Electoral Act also imposes a ban on insulting and slandering of another candidate, while the IEC rule went further requiring candidates to only focus on their agenda and programmes and not to scrutinise other opponents in a bid to prevent name-calling that could inflame tensions. However, the UDP party criticised the IEC rule and declared on 11 November a boycott of its slots on GRTS for political party broadcasting accusing the state channel of “stifling of a candidate's right to review and criticize the incumbent's policies, programmes and conduct” and arguing that this was “not in line with the letter and spirit of the law”. The dispute was quickly resolved around allowing scrutiny of other candidates within the limits of the laws.

Overall, the Gambian Press Union (GPU) noted that attacks on journalists had decreased since the departure of Jammeh. Nonetheless, a number of incidents of attacks on journalists were reported ahead of the elections. In January 2020, GPU Secretary General, Saikou Jammeh told a press conference that four journalists were arrested and detained at unknown places following the violent confrontation between the police and 'Three Years Jotna' protesters (The Chronicle, 2020). In April 2021, the president of the Young Journalist Association of the Gambia and a Foroyaa Newspaper court reporter were assaulted outside a courtroom (Gainako, 2021). Also, few post-election attacks on journalists were reported in the news. This included a reported assault on a freelance photojournalist, Lamin Dumbuya on 6 December 2021 (JollofNews, 2021). These attacks underline the difficult environment that journalists are operating in the country.

8.7. Election Observation

Ahead of the election, the CSO Coalition on Election observed the voter registration exercise by deploying a team of 53 observers in all the seven administrative regions. In its preliminary statement in June 2021, the Coalition gave a summary of its observations from the voter registration exercise and called on stakeholders, especially political parties and their supporters to refrain from violent rhetoric and to resolve any electoral disputes by lawful and peaceful means.

Pre-election activities included the close monitoring of the security and political landscape conducted through WANEP'S National Early Warning System (NEWS), which resulted in the identification of 43 hotspots for political violence.



Source: WANEP-The Gambia

An integral part of the EMAM project is the establishment of the Election Situation Room (ESR). The focus of the ESR is to observe, report, analyse and facilitate responses to incidents that may threaten the peaceful conduct of the Presidential Election. On polling day, the Gambia CSO Coalition on Election deployed 150 trained and accredited domestic election observers to mainly high risk areas across the country. Another 45 additional personnel were deployed in the Election Situation Room (ESR), which was divided into four divisions, namely: the “Data Gathering Room”, “Analysis Room”, “Decision Room”, and “Communication Room”.

The Data Gathering Room was responsible for the collation of data received from the 150 observers in the field through the design of an assessment parameters developed by WANEP and ECOWAS using the Survey123 GIS application tool as well as other data from other reporting platforms, and media channels. The Analysis Room was manned by seven experts in charge of interpreting and analysing the data to inform responses and decisions. Experts in this section include professionals in the fields of conflict and data analysis, security, law, youth and gender, human rights, communication, statistics and politics. The Decision Room was run by seven eminent persons with good offices to intervene in a timely fashion to prevent an escalation of a threat situation. The 'Communication Room was coordinated by the president of The Gambia Press Union and Factspace West Africa to track social media feeds including potential threats at polling stations not covered by the observers in the field.

Other CSOs, including Gambia Participates, a youth-led CSO and Peace Ambassadors (PAG) deployed both long-term monitors and election observers. Gambia Participates, also managed and deployed the Marble Election App, freely available on the Google and Apple app stores, to provide up-to-date developments during the election.

9. Challenges to Peace and Stability

There are ongoing constitutional, security and social challenges that pose threat to the country's peace and stability. These issues required attention and concerted efforts ahead of the next cycle of elections in 2026.

9.1. Constitutional and Electoral Reforms

Grave concerns abound that the lack of a constitutional provision regarding a term limit to the presidency could lead to President Barrow seeking to perpetuate his stay in office, which could heighten the risk of civil unrest. This risk has played out at a low level with Three-Years Jotna unrest that occurred in January 2020 calling for President Barrow to honour his promise and step down. The draft constitution that was rejected in the parliament made a provision for a two-term limit. If the constitution is passed ahead of the next presidential election, there will be a risk of commotion over whether a new two-term limit should be retroactively applied, which would eliminate President Barrow from running for an office. If the two-term is not applied retroactively, it means President Barrow has the chance of staying in office for 20 years in the event he wins his third and fourth terms in 2026 and 2031 respectively. Many of the interviewees said that it was unimaginable that Gambians would allow President Barrow to stay in office for 20 years.

Furthermore, a majority of the repressive laws of the Jammeh era remained in place. Many of these laws were used by the previous administration to curtail the freedom of Gambians and stifle the political space for inclusive participation in order to prolong Jammeh's regime. According to Amnesty International "there is still no new Constitution. Punitive and restrictive legal provisions on human rights, particularly the rights to freedom of expression, and peaceful assembly among other issues are still on the statute books" (Amnesty International, 2021a & 2021b). The ECOWAS Court of Justice issued in February 2018 a judgment that found most Gambian media laws violated freedom of expression and asked the Gambian government to repeal or amend all criminal laws on libel, sedition, and false news in line with Gambia's obligations under international human rights law.. However, the Barrow administration has yet to comply to this ruling, underlining its lack of commitment to improve rights and freedom of the people. These oppressive laws will continue to undermine the long-term peace and stability of the country as the spectre of authoritarianism looms over the populace.

9.2. Security Sector Reform

Security Sector Reform (SSR) programme, which started in September 2017, is a critical aspect in enhancing the peace and stability in The Gambia. The SSR programme aims to promote an effective, professional and responsible security sector. While the country has adopted its first national security policy, effective implementation of the SSR has been slow. The continued presence of Jammeh's loyalists

in the army is cause for concerns for the long-term stability of the incumbent Government. According to Jobarteh (2022), the sensitive issues around the downsizing of the army is one key factor delaying the SSR programme. The downsizing of the country's army is required given that the armed forces of an estimated 6500 troops have several deficiencies including being politicised by the Jammeh administration. It was reported that the army is dominated by members of the former president's ethnic group, Jola and many military officers promoted were based on loyalty rather than skills (Jobarteh, 2022). Without an effective and successful reform and professionalisation of the army, the threat will remain to the stability of President Barrow's government.

On the other hand, without the reform of the army, the ECOMIG programme will continue to ensure the country's stability. The continued presence of ECOMIG forces is causing unease from the local populace who believed that they had outlived their welcome (WANEP, 2021). Public survey has shown increasing number of Gambians want the ECOMIG programme to end and the responsibility for state security restore fully in the hands of the national army. This worrisome situation needs to be resolved where the army is put in order before the departure of ECOMIG forces and next cycle of elections. CSOs need to push for the government and its partners to intensify its efforts to improve the security services so that the country's security forces will take over the role and responsibility of the ECOMIG forces in strengthening peace and stability.

9.3. Social Cohesion

The country remains polarised after the presidential elections. Polarisation undermines social cohesion and peaceful coexistence. Denigrating ethnic narrative only undermine social cohesion and peaceful coexistence. The labelling of UDP as a "Mandinka party", APRC as "Jola party" and GDC as "Fula party" creates ethnic division. Also, some attempts to demonise Jolas because of the excesses of Jammeh, a Jola, should be countered. Similarly, actions should be taken to counter the misinformation and disinformation that if the UDP party takes power, it will be the start of the "Mandinkanisisation" of the country. This type of narrative only further inflame ethnic division and tension. It is evident that the UDP party is not a "Mandinka party" and many Gambians of Mandinka ethnicity do support other political parties other than the UDP. Therefore, there should be concerted efforts at national and community level to debunk this ethnic labelling of political parties and replace it with language of peace, respect and tolerance. The Barrow administration has to reach across the aisle to his former party in the spirit of reconciliation.

Another element that requires attention is the implementation of the recommendations of the TRRC report as well as the Supreme Court decision for the Government to enable Gambians in the diaspora to vote in elections (Foroyaa, 2021b). A number of interviewees emphasised the need for the promotion of dialogue and peaceful co-existence at community level. Alongside the promotion of social cohesion, there is also the need to boost women's participation in politics to increase the number of female

candidates at the top level in many of the major political parties. This can be done through the introduction of affirmative action to promote women's political participation and inclusion.

10. Conclusion & Recommendations

To promote and ensure a peaceful and credible presidential election in The Gambia, the CSOs Coalition on Elections in collaboration with other domestic and international partners undertook a number of both proactive and reactive actions before, during and after the election. There was an increased coverage of the 2021 election by domestic and international election observers compared to the 2016 election. In general, the intervention and concerted efforts of civil society actors and other partners contributed immensely in ensuring that the presidential election passed off relatively peacefully albeit with few instances of low-intensity and sporadic violence.

In essence, the successful and relatively peaceful conclusion of The Gambia's first presidential under the new democratic dispensation was the result of significant investment in time, human and financial resources. The considerable social and political capital as well as experience and expertise developed by civil society actors together with the support of domestic and international partners should be continually enhanced for the consolidation of The Gambia's democratisation process, peace and security. This is critical given that the country's political and security situation remains fragile. There are many outstanding issues to be addressed to prevent the country from backsliding into authoritarianism and ethnically-motivated violence that could jeopardise the country's peace and stability.

In conclusion, future political transitions in The Gambia will be fraught with tensions that have the potential of devolving into violence if preventive and remedial actions are not taken before, during and after elections. The relatively peaceful outcome of the 4 December 2021 presidential elections should not be taken for granted and was the results of concerted efforts by multiple state and non-state actors at national, regional and international levels. CSOs in The Gambia have demonstrated the important role they can play and have to play in close collaboration with national, regional and international partners in promoting peaceful and credible elections aimed at strengthening the country's fledgling democracy. The efforts of CSOs should be sustained and continually enhance as the cost of a high-intensity conflict is far more expensive than preventing it in the first place from happening. In essence, maintaining peace and stability in the new democratic dispensation in The Gambia is a worthwhile investment.

In light of the ongoing constitutional, legal, social and security challenges facing the country, the report puts forward a set of recommendations to key stakeholders as well as regional and international partners to support and strengthen the country's democratisation process, peace and stability.

Key recommendations include the following:

10.1. Government

- The Government and the National Assembly should revive and pass the stalled Constitutional Promulgation Bill of 2020, which has more progressive provisions than the current constitution midwived by the authoritarian Jammeh administration;
- The Government should ensure that the new Constitution maintain key progressive clauses, notably the two-term limit for the presidency and guarantees for an increase in women's representation in political appointments, the legislature and other leadership positions;
- The Government should keep to its electoral pledge of 2016 to amend or repeal oppressive laws from the Jammeh era that impinge on freedom of expression, in line with the May 2018 ruling of the Court of Justice of ECOWAS;
- The Government should look into ways and means of implementing the Supreme Court's January 2021 ruling, affirming the voting rights for Gambians living abroad;
- The Government should invest more time and resources into the country's SSR programme to downsize and professionalise the national army;
- The Government should provide guidance on the implementation and enforcement of Section 15 of the Women's Act 2010 that stipulates that every organ and public institution should adopt temporary special measures to accelerate women's equality.

10.2. Political Parties

- Political parties should desist from ethnicising political discourse and instead advocate for peaceful co-existence and work towards strengthening social cohesion in the country;
 - The Inter-Party Committee (IPC) should be provided with adequate resources to improve cross-party dialogue in a bid to identify and work in a non-partisan way on issues that pose threat to the peace and stability of the country;
 - Political parties should comply with the principle of gender equality and achieve fair gender representation in the nomination of women in party leadership positions and as candidates to help increase the level of women's participation in political life;
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- Political parties should enhance the role of Women's Wings to promote the parties' policies with a gender perspective.

10.3. Independent Electoral Commission (IEC)

- The IEC should improve on its channels and strategies of communication for a fruitful engagement with stakeholders;
- The IEC should develop a Gender Strategy to mainstream gender consideration into its work and increase the number of women in its structure including in senior leadership positions;
- The IEC should train staff in gender and inclusion perspectives and allocate budget for activities to the Gender and Inclusion Unit to make it functional;
- The IEC should consider the number of party supporters accompanying their leaders during nominations to prevent under tensions and clashes especially in the event the IEC rejects the candidate.

10.4. ECOWAS/AU/International Partners

- ECOWAS and International partners should support the government in the implementation of the country's SSR programme in a bid to professionalise the national army;
 - ECOWAS and International partners should work towards the conclusion of the ECOMIG mission and facilitate the orderly transfer of the responsibilities of the mission over to the country's security forces that will ensure a long-term peace and stability;
 - ECOWAS and International partners should accompany and support Government and the IEC to promote professionalism and ensure greater transparency, accountability and credibility in strengthening the democratic process, systems and structures of the country;
 - ECOWAS and International partners should support the establishment of a National Peace Centre in The Gambia to strengthen the country's fragile peace and security as well as its democratisation process.
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10.5. Law Enforcement Agencies

- Law Enforcement Agencies should train their personnel to conduct and manage protests in a professional way without the use of excessive force against civilians;
- Law Enforcement Agencies should be trained on the rights-based and conflict sensitivity approach to be able to operate in a politically neutral manner and be seen working in the public interest;
- Law Enforcement Agencies should train their personnel to conduct and manage in a professional way election-security related situations without the use of excessive force against civilians.

10.6. National Human Rights Commission (NHRC)

- The NHRC should be equipped with the adequate financial and material resources to enable the commission in the discharge of its sacred duties;
- The NHRC should build strong partnerships with relevant entities CSOs for the standardization and consistent monitoring, recording and reporting of abuses and violations;
- The NHRC should engage in public campaign to inform the general public of its role and responsibilities and on how to report abuses and violations.

10.7. National Commission for Civic Education (NCCE)

- The NCCE should collaborate with stakeholders to inform and educate the public about their civic duty and responsibilities in promoting participatory democracy;
- The NCCE should also engage in peace education to counter negative ethnic narratives and labelling with the aim of strengthening social cohesion and peaceful coexistence.

10.8. Gambia Press Union (GPU)

- The GPU should revive dialogue on media freedoms to strengthen laws that will ensure journalists are able to pursue their work in an environment free of fear and self-censorship;
 - The GPU should engage with media houses to establish a code of conduct they should sign and abide to during election period so that they are not used as a platform to propagate hate speech and divisive rhetoric;
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- The GPU should be provided with the adequate resources to organise continual training activities for its members and non-members including freelance journalists;
- The GPU should work with its members and all partners to combat misinformation, disinformation, hate speeches and incitement to violence using the media as a platform;
- GPU should pursue a media law reform agenda that will bring the laws regulating the media in line with the Constitution, international treaties, and conventions that The Gambia has ratified, as well as the judgement of the ECOWAS Court on Gambian media laws.

10.9. Civil Society Organisations (CSOs)

- CSOs should continue lobbying for the establishment of a National Peace Centre towards strengthening the country's fragile peace and stability;
 - CSOs should embark on awareness-raising campaigns and lobbying for the passage of the stalled draft Constitution as well as the amendment or repeal of oppressive laws from the Jammeh era;
 - CSOs should work in partnership with other stakeholders to promote dialogue, peaceful co-existence and social cohesion in the country;
 - CSOs should work in collaboration with other stakeholders to ensure the implementation of the key recommendations in the TRRC report as well as accountability for the perpetrators and justice for the victims;
 - CSOs should intensify campaigns and lobbying to increase women's representation and participation in politics and governance by increasing the number of female candidates as political leaders, elected officials and holders of senior positions. This can be done through the introduction of affirmative action to promote women's political participation and inclusion.
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Appendix

Gambian CSO's Declaration on Presidential Election

JOINT STATEMENT ON THE 2021 PRESIDENTIAL ELECTIONS

by: Domestic Election Observers and other stakeholders
Delivered at Coco Ocean Hotel, on December 5th 2021

We the undersigned Domestic Election Observers,

Having observed the 2021 electoral process from voter registration, nomination process, campaigns, casting and counting of votes across the 53 constituencies within the seven regions, of The Gambia,

Noting that the elections were conducted generally in an atmosphere of transparency and fairness as observed by domestic and international observers,

Recognising the importance of these high stakes elections in consolidating our democracy after 22 years of authoritarian rule.

Reminding political parties as signatories of the **Janjanbureh Peace Accord** of their general commitments to ensuring and safeguarding peace at all times and in particular Clause F which reads "to accept the outcome of votes and results as announced by IEC as long as the election is adjudged to be free, fair and credible, devoid of intimidation, violence and conducted in accordance with the provisions of the law; knowing that our laws provide avenues for legal redress should that be necessary."

Reiterating the importance as Political Leaders of the sanctity of committing to the **Tenets of the Constitution of the Republic of the Gambia, The Elections Act (2009), the Interparty Committee IPC MOU and Code of Conduct 2017 and IPC Peace Pledge** (Janjanbureh Accord) and Code of Conduct for Peaceful Elections dated November 11, 2021 signed by all the Candidates in this election

Reminding the six presidential candidates of paragraphs x and xii of the Code of Conduct for Peaceful Elections which reads :

- x. to accept the results of the elections as announced by the Chairperson of the IEC,**
- xi. importantly to resort to judicial processes to address disputes which may arise from elections.**

We hereby state that based on our elections observation findings throughout the December 4th Presidential elections, We conclude that **the December 4th Elections are free and fair.**

We take note of the rejection of the election results released so far by the Ousainou ANM Darbo (UDP) Mamma Kandeh (GDC) and Essa Mbye Faal (independent Candidate).

We Recognize their rights to raise legitimate concerns and seek redress as provided for under the laws of the land

We urge them to bear in mind of their solemn duty to uphold the rule of law, maintain the peace and national cohesion, and conduct themselves in line with the democratic norms and standards we are known for as a nation.

We implore of all political party leaders, supporters and citizens to be guided by the supreme interest of the country at all times.

For The Gambia Our HomeLand

Signed

CSO Coalition on Elections

Elections Watch The Gambia

TANGO

Gambia Bar Association

Gambia Participates

Center for Research and Policy Development

Gender Platform

Moral Guarantors of the Code of Conduct



Gambia

CSOs Response to the
4th December 2021
Presidential Elections.



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