



Европейски парламент Parlamento Europeo Evropský parlament Europa-Parlamentet Europäisches Parlament  
Euroopa Parlament Ευρωπαϊκό Κοινοβούλιο European Parliament Parlement européen Parlaimint na hEorpa  
Europski parlament Parlamento europeo Eiropas Parlaments Europos Parlamentas Európai Parlament  
Parlament Ewropew Europees Parlement Parlament Europejski Parlamento Europeu Parlamentul European  
Európsky parlament Evropski parlament Euroopan parlamentti Europaparlamentet

**ELECTION OBSERVATION DELEGATION TO  
THE PARLIAMENTARY ELECTIONS  
IN THE GAMBIA  
(6 April 2017)**

**Report by  
JEAN LAMBERT, Chair of the Delegation**

**Annexes:**

**A. List of participants**

**B. Statement by the Chair of the European Parliament Election Observation Delegation**

**C. Joint Press release by the EU EOM**

## **Introduction**

Following an invitation from the Gambian authorities and the subsequent authorisation of the Conference of Presidents, a six Member EP delegation travelled to The Gambia to participate in the observation of the 2017 National Assembly elections. The delegation conducted its activities in the country from 3 to 8 April 2017 and was integrated into the EU Election Observation Mission (EU EOM) led by Chief Observer Miroslav Poche. The delegation was composed as follows: Chair Jean Lambert (Group of the Greens/European Free Alliance, United Kingdom), Inese Vaidere (EPP, Latvia), Joachim Zeller (EPP, Germany), Maria Arena (S&D, Belgium), Cecile Kyenge (S&D, Italy) and Nikolay Barekov (ECR, Bulgaria).

In the first part of the programme, the MEPs received briefings from the EU EOM core team on the political background, the legal electoral framework, the security environment and the media landscape in The Gambia. Meetings also took place with members of the Independent Electoral Commission (IEC), Government officials, representatives of political parties, the director general of the public TV GRTS, representatives of the religious communities and civil society and the first president of the republic, Dawda Jawara. The EP Chair, together with the Chief Observer, also met President Adama Barrow.

## **The context of the 2017 elections**

The Gambia gained its independence from Great Britain in 1965. Initially the country prospered thanks to the tourism and the agricultural sectors, but from the end of the 70's the living conditions started to deteriorate along with the political fortunes of the first president of the country, Dawda Jawara, who was overthrown in July 1994 by a young Lieutenant of the Gambian army named Yahya Jammeh.

Over a period of 22 years, Jammeh survived a number of military putsches but remained in power thanks to repressive practices, a climate of fear and human rights abuses. He promoted a radical form of Islam, and declared Gambia an Islamic republic in 2015. He also pursued an isolationistic policy undermining relations with the EU, international institutions and neighbouring countries such as Senegal - a fact that later played a crucial role during the political impasse that followed the December 2016 presidential elections. His rule was also defined by a noticeable nepotism in favour of its own ethnicity, the Jola.

Jammeh's years were also characterized by a massive increase in the numbers of young people leaving the country seeking for better opportunities in Europe. Jammeh repeatedly accused Gambian migrants and even promised to prosecute failed asylum seekers upon return for sedition and treason.

The violent crackdown of peaceful protests, ahead of presidential elections in 2016 played a decisive role in the decision of the opposition parties to join forces under one single entity. The resulting "Coalition 2016" nominated the relatively unknown Adama Barrow as their candidate. To

the surprise of many, he won the presidential elections on 1 December 2016 with 43.3 per cent of the votes against 39.6 of the then incumbent president. The GDC candidate, Mamma Kandeh obtained 17 per cent of the total valid votes.

After very tense weeks of political impasse, Jammeh accepted to leave office for exile in Equatorial Guinea under domestic and international pressure, combined with the military intervention by the Economic Community of West African States (ECOWAS).

### **Pre-electoral environment**

The programme of the EP election observation mission in The Gambia allowed members to be acquainted with the pre-election situation of the country as well as with the general challenges ahead. Besides the electoral process, key issues of discussion covered human rights, the state of judiciary sector, the situation of the media and civil society developments.

#### *Political parties*

The seven political parties of Coalition 2016 did not manage to strike a tactical alliance at national level for the parliamentary elections. There were nevertheless several partial agreements, but the understanding among the ex-coalition partners of the level of co-operation varied from the often quoted statement of the President that “you are all my family”, through the formula “we are competitors not enemies”, to open grumbles against the most powerful UDP, the former party of Adama Barrow, which was seen as both the cause and the main potential beneficiary of the disunity. In this vein, concerns were also raised about the national tour, undertaken by President Barrow at the same time as the legislative political campaign, seen by some as campaigning for UDP candidates.

During the meeting with Members, the former ruling party APRC focused mostly on isolated incidents with exchanges of insults and threats directed to their supporters, their ousting from the party Headquarters and the national tour of the President.

The main grievance voiced by GDC’s leader Mamma Kandeh was that his role in the ousting of Jammeh was never acknowledged by the Coalition 2016. There were number of reports on GDC supporting local communities, including with donations of building materials and agricultural machines.

#### *The traditional Gambian voting system*

Casting a vote in The Gambia is done by dropping a marble in a drum coloured with the candidate’s party colour and bearing his/her photo. The marble hits a bell within the drum so election officials know that the vote was cast. At the end of the voting day, the drum is unsealed and the marbles are counted with the help of a simple 10x20 matrix with 200 small holes, which allows for speedy

counting. Marbles are then returned back to the drum, which is sealed and stored for 6 months if a need for recounting arises.

The pre-election period was marked by intense preparations on the part of the Independent Electoral Commission (IEC), which due to the high number of candidates, had to produce vast number of additional voting drums. The registration of 239 candidates necessitated 7 257 drums in total as each of the 1 422 polling stations required one for each of the nominated candidates in that constituency. The cost and the logistical complexity of producing, distributing and storing the drums made the IEC consider seriously changing the system to a more traditional paper ballot system. On the other hand during the election observation day, MEPs found the traditional system quite robust. Civil society organisations involved in the domestic observation (WANEP and Youth Parliament) also praised the system for its speediness in producing the results.

One of the main shortcomings of the present arrangement is that it excludes the diaspora from taking part in the elections, as early voting is not possible.

### *Media*

The key challenge for Gambian journalists are the internalised habits of self-censorship resulting from the previous regimes' intolerance to free speech. It has used the security apparatus and the judiciary as a stick against the journalists, with direct intimidation, killings and excruciating fines fixed at 10 000 USD.

### *Human Rights*

The human rights situation has considerably improved since the departure of former President Jammeh, according to interlocutors met during the mission. All political prisoners have been released and the Gambia could now be considered as a safe country. In their opinion, the new elected members of the National Assembly should receive training on human rights and there is need for capacity building in the state institutions.

### *Gender and women rights*

Despite being a state party both to the Convention on the Elimination of All Forms of Discrimination against Women, and to the Maputo Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, there was no real advancement of gender equality in recent years. In the Gambia, women and girls remain vulnerable to a range of human rights violations including harmful traditional practices, child marriage and gender based violence.

Due to the official ban, Female Genital Mutilations (FGM) are now performed in secrecy. The regions with the lowest rates of women with FGM are around the capital Banjul (47.2%) due to the high percentage of Wolof, while the region with the highest rate (of about 96%) is Basse, due to the high number of Fula people. During the meeting between MEPs and Dr. Isatou Touray, Minister of Trade,

Regional Integration and Employment, she stressed the importance of the links between FGM, poverty and human rights.

The inclusion of women in political life remains minimal in The Gambia. Out of a total of 239 candidates running for the legislative elections, there were only 20 women and only three of them were elected, which comprise just under 6 per cent of the 53 elected members.

### *People with disabilities*

The Independent Electoral Commission (IEC) has provisions for the voting of people with disabilities but did not engage with the civil society in their elaboration or implementation. There is no dedicated legal act on the people with disabilities. The Gambia Federation of the Disabled (GFD) had drafted a proposal with international assistance and UK funding in 2007, which never reached the National Assembly. According to the GFD, the number of disabled people is very high at about 20% of the population. During the Jammeh's regime, the topic was never discussed and the proportion of people with disability was not properly accounted in previous censuses.

### *Religion*

During the meeting with Members, the religious leaders were careful to distance themselves from the political domain. Christian communities were mobilised during the presidential elections of last year in the face of the decision taken at the end of 2015 to proclaim the country an Islamic State. The Supreme Islamic Council had encouraged Yahya Jammeh to step down as a President after he had lost the elections in 2016. According to a number of interlocutors met during the mission, the risk of radicalisation was considered to be low in The Gambia.

### *Judiciary*

The reform of the judicial sector is at the top of the governments' agenda. The key priorities mentioned during the meetings were: *reform of the constitution* since it had been amended numerous times to fit the short term priorities of the Jammeh's regime, *reorientation and capacity building* for the prosecution, the judiciary and the law enforcement organs, which were used to suppress and oppress Gambian people and encouraging a *culture of cooperation with civil society organisations and the media*.

The Gambia Bar Association (GBA) raised a specific issue related to the legitimacy of five foreign national judges in the three high courts. According to the Association, their appointments had not followed the constitutional procedures and the contractual basis for them staying after the expiration of their current two year contracts was unclear.

## *Poverty*

Most interlocutors mentioned among the key challenges ahead the high level of poverty in the country. “The state is the biggest employer. Prices are too high in comparison to other African countries, at least double to Ghana”, one interlocutor said. He believed that the toughest challenge for the new political leaders of the country will be related to managing the high (and often unrealistic) expectations of the population for rapid change. A widely shared understanding is also that the main reason for immigration is poverty.

## **Election Day**

On Election Day, the delegation worked in three teams and visited around 40 polling stations in Banjul/Kanifing and the West Coast. At all polling stations observed, the MEPs witnessed peaceful and positive atmosphere among voters, polling station staff and representatives of the candidates. The polling officials in the observed stations demonstrated professionalism and preparedness - from the timely opening of the stations to their closure. Many young people were present and there was a good gender balance of both election officials and party representatives.

During the observation, the MEPs witnessed high level of respect for the procedures by all participants. Especially noteworthy was the good collaboration between the polling staff and the representatives of the political parties. The low-key presence and collaborative attitude of the police greatly benefited the process.

The traditional Gambian election procedure was clear and efficient. Besides being voter friendly, it allowed for fast and transparent counting process. In the observed stations, polling officers were taking note of the gender of the voters. However, while significant number of women were taking part in the vote, there were only twenty women running, of whom just three were elected.

Very few people with disability took part in the vote in the stations observed, although the ones who did were duly assisted.

## **Post-election day developments**

The members of the unicameral National Assembly are elected for a five-year mandate through the First-Past-The-Post (FPTP) system in single-member constituencies. According to the amended Electoral Act from 2016, the National Assembly comprises of 53 directly elected seats with five other seats appointed by the president. A total number of 239 candidates from all nine registered political parties and an additional 42 independent candidates ran for the 53 single-member constituencies, which constitutes a record number.

The Independent Electoral Commission declared the final results on the same day of the elections. According to some of the interlocutors met during the mission, this is one of the most important

features of the traditional Gambian election system - it allows for easy counting and early results, diminishing the chances of uncertainty and conflicts.

The UDP came out as a clear winner with 31 elected candidates, with parties of the coalition 2016 also performing well (PDOIS: 4 seats; NRP: 5 seats; PPP: 2 seats). The former ruling party APRC won 5 seats from their traditional stronghold Foni regions constituencies in the West Coast, while GDC, the only party to register candidates in all regions only got 5. There was also 1 independent candidate elected by the Basse constituency.

At 42 %, the electoral activity was well below the presidential elections, with a rate of participation of 59 %.

An additional sign of civic responsibility was the observation that the undue use of money in campaigning had no real effect on the voting patterns of the electorate. The campaigning along tribal lines also seemed to have negligible effect.

GDC leader Mamma Kandeh declared his intention to contest the election results because of the presidential tour which coincided with the political campaigning.

### **Press conference and the EU EOM preliminary statement**

The EU EOM and EP press conference took place on 08 April 2017 following the separate conferences of the observation missions of the African Union and the Economic Community of West African States. The event was extremely well attended.

The preliminary statement concluded that the goodwill on behalf of the people and institutions of the Gambia provided for the restoration of key democratic rights. While praising the peaceful and engaging campaign as well as the peaceful election's day, the report also highlighted a number of concerns related notably to the lack of transparency and accountability measures for the collation of results. Outlining areas for future improvement, the preliminary statement concluded that large population discrepancies between electoral constituencies violated the principle of equality of the vote. Other areas of improvement include issues related to campaign financing, the outdated voter register, electoral justice and the participation of women.

The Head of the EP delegation, Ms Lambert, praised the professionalism and the preparedness of the polling officials as well as the collaborative attitude shown by the different stakeholders on election's day. The chair of the delegation particularly insisted on the important role to be played by the newly elected Parliament in the transition process and in the new balance of powers.

### **Conclusion**

The National Assembly elections of April 6th closed an election cycle, which started with the presidential vote of December 2016. In less than half a year, Gambians managed to complete a

democratic change in the political leadership of the country after 22 years of authoritarian rule. What is even more impressive is that it all happened in a peaceful and highly efficient manner. A particular feature of the process was that it took place within the legal and institutional frame created by the previous regime. The levels of good will and civic responsibility of all actors - election authorities, political parties and citizens - was exemplar and key for the success of the elections, despite the rules and institutions tailored to serve an oppressive regime. The Gambia now has to focus on the institutional and legal reform in order to make the transition away from tyranny irreversible. In this context, it is critical that Parliament's new place in the overall balance of power be better understood by the citizens, especially in view of the lower turnout on the 6th of April compared to the presidential elections. The National Assembly now has an important role to play in a period of transition and the European Parliament can contribute to its strengthening by offering capacity building to the new Gambian Parliament.



## Legislative Elections in The Gambia

4 – 8 April 2017

### List of participants

#### Members

Ms Jean **LAMBERT**, Verts/ALE, Head of Delegation  
Mr Joachim **ZELLER**, EPP  
Ms Inese **VAIDERE**, EPP  
Ms Maria **ARENA**, S&D  
Ms Cécile Kashetu **KYENGE**, S&D  
Mr Nikolay **BAREKOV**, ECR

**Statement by Ms Jean Lambert,  
Chair of the European Parliament Election Observation Delegation  
for the legislative elections in The Gambia**

(8 April 2017)

Ladies and gentlemen, dear friends,

I am Jean Lambert, Member of the European Parliament and it is my pleasure to have this opportunity to speak to you on behalf of the EP Delegation.

I have the honour to lead a Delegation composed of six Members of the European Parliament from six countries and four political groups to observe the National Assembly elections in The Gambia. Our mission is part of the EU Election Observation Mission (EOM) and we support the preliminary findings and conclusions of the EOM. I would like to express my high appreciation of the comprehensive work carried out by my colleague, Mr Miroslav Poche and his team.

On Election Day, we worked in three teams and visited around 40 polling stations in Banjul, Kanifing and the West Coast. Everywhere we observed, we noticed the peaceful and positive atmosphere among voters, polling station staff and representatives of the candidates. We were happy to witness the professionalism and the preparedness of the polling officials - from the timely opening of the stations to their closure. We were encouraged by the presence of many young people and the good gender balance of both election officials and party representatives.

During the observation, we witnessed high level of respect for the procedures by all participants. We were especially impressed by the good collaboration between the polling staff and the representatives of the political parties. The low-key presence and collaborative attitude of the police greatly benefited the process.

We found the traditional Gambian election procedure clear and efficient. Besides being voter friendly, it allowed for fast and transparent counting process. However, we would like to encourage the Independent Electoral Commission to explore ways to include the diaspora into the electoral system.

We observed some polling officers taking note of the gender of the voters. However, while we noticed a significant number of women taking part in the vote, we regret that there were only twenty women running, of whom just three were elected. We also observed very few people with disability taking part in the vote although the ones we saw were duly assisted. We trust that the Independent Electoral Commission will take further measures to improve accessibility.

The Parliament's new place in the overall balance of power needs to be better understood by the voters in view of the lower turnout compared to the presidential elections. The National Assembly now has an important role to play in a critical period of transition and we express our willingness to enhance dialogue and contribute to its strengthening. The European Parliament delegation will strongly recommend that we offer capacity building to the new Gambian Parliament, whose role will be highly important to consolidate the democratic process in Gambia.

In this context we want to emphasize the potential of the media to contribute to the development of an informed and active civil society.

Finally, let me congratulate, on behalf of the EP delegation, the newly elected Members of Parliament. **Now you can use the momentum created by the people of Gambia to deliver the democratic change they have voted for.**

Thank you very much for your attention.

---