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WARN

Policy Brief OCT 2021



GAMBIA

PRESIDENTIAL ELECTION 2021:

A PATHWAY TOWARDS DEMOCRATIC CONSOLIDATION
OR RETROGRESSION?



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Gambia Presidential Election 2021:

A Pathway towards Democratic Consolidation or Retrogression?

1. Introduction

The 2021 Presidential election has been characterised as a defining moment to consolidate democratic governance and social cohesion in The Gambia. It will be the first presidential election to be organised in the post-Jammeh era. The election is expected to be more competitive and has more political party representation than previous electoral cycles. So far, the Independent Electoral Commission (IEC) has accepted and registered 18 political parties and four independent aspirants to contest the December 4, 2021 presidential election.

The election is also considered a key test of the unfolding agenda of reforming every sector of the country, including the security sector, the judiciary and transitional justice mechanisms, the economy and enhancing inclusive participation of women and youth in governance processes. The outcomes of the reform agenda would set the momentum for future democratic processes. However, with less than four months (as of September 2021) to the presidential election, there are controversies around the Draft Constitution and other reforms processes, deepening ethnic and political divide, and issues of exclusion, among others. Also, there is a protracted delay in the publication of the Truth, Reconciliation and Reparations Commission (TRRC) report and the implementation of the Janneh Commission report on the financial dealings of public entities in the 22 years regime of former President Yahya Jammeh.

Furthermore, politically motivated violence has been a recurring feature of elections in The Gambia. So far, the 2021 election is seemingly following a similar path. Intra and inter-party tensions



Credits: @Gambiaelects and Representative image

and splits within the 2016 coalition members are heightening the stakes. Politicians, opinion leaders and other interest groups on social media continue to use rhetoric and ethnic sentiments that deepen divisiveness and tensions in the country ¹.

As the country continues to contend with the rising political tensions and threats of violence, the spread of the COVID-19 pandemic across the country further complicates election preparedness and timely implementation of the current election calendar by stakeholders.

Given the limited time before the election in December 2021 and the experience of the third wave of the pandemic, there are growing stakeholders' concerns about the ability of the election management bodies and other relevant actors to conclude key election-related activities ahead of the election.

¹. The Gambia Policy Brief. "Challenges of Fractured Nation in Transition: The Imperative for Social Cohesion and Stability in the New Gambia." <http://www.wanep.org> (Accessed 12/07/2021).

West Africa Early Warning & EARLY RESPONSE Network (WARN)

The West Africa Early Warning Network (WARN) is an integral part of the West Africa Preventive Peacebuilding Program co-ordinated by the West Africa Network for Peacebuilding (WANEP). Through its WARN Program, WANEP is setting the stage for a civil society-based early warning and response network in Africa with emphasis on human security.	WARN covers the entire Economic Community of West African States (ECOWAS) region . Since 2002, WANEP entered into an agreement with ECOWAS through the signing of a Memorandum of Understanding (MOU) in the framework of capacity building in Conflict Prevention. One of the goals of	this agreement is to interface WARN with the ECOWAS Early Warning Systems to optimize early warning conflict prevention in West Africa. In view of this development, WANEP has been operating a liaison office located at the ECOWAS Secretariat in Abuja, Nigeria since April 2003.
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In recognition of the role and achievements of the West Africa Network for Peacebuilding (WANEP) in Conflict Prevention and Peacebuilding in Africa, particularly in West Africa, the Economic and Social Council of the United Nations at its substantive session of 2006 granted WANEP Special Consultative Status to the UN. WANEP is therefore mandated to designate official representatives to the United Nations in New York, Geneva and Vienna to further its advocacy and outreach strategies for peace and human security.

This policy brief provides an overview of the prevailing political dynamics in the country and highlights factors likely to heighten election tensions. It also presents best and worst-case scenarios and recommendations for response to ensure a peaceful outcome of the December 2021 election. The policy brief draws on evidence-based and analytical reports on election-related violence in communities across the country by WANEP's National Early Warning System (NEWS).

2. Context of the 2021 election

The current political landscape of The Gambia is replete with tensions, disagreements and a lack of consensus among political stakeholders over the leadership of political parties and the electoral processes in the lead up to the 2021 presidential election. The political tensions are already evident in the persistent intra and inter-party rancour, verbal violence as manifested in the Parliamentary and Local Elections in April 2017 and April/May 2018, respectively². Also, frictions within the National Convention Party (NCP) led to suspension from all electoral activities by the IEC in 2018³. Similarly, disputes within the UDP and the defection of its members to the NPP are heightening the stakes⁴. The disputes stemmed from President Barrow's refusal to comply with the Coalition pre-election agreement that stipulates a three-year transitional government to allow an earlier presidential election. This incident triggered a series of protests and demonstrations led by the "Three Years Jotna" (Three Years is Enough) movement that was later banned and 137 protesters arrested including eight key members charged for riotous conduct in January 2020⁵.



'3 Year Jotna' Protest in Banjul (January 2020)
Credit: Google images

Also, preparation for the election has been laced with controversies around the draft Constitution and Election Bill that would have provided the legal framework to support the conduct of the election. A key sticking point around the draft Constitution is a clause that seeks to prevent President Adama Barrow from resetting the term limit provision in the Constitution to make him eligible to run.

for another two terms beyond 2021⁶. Similarly, the IEC's proposal to replace the voting system – from marbles to ballot papers – have not been adopted by Members of the National Assembly. It has also been rejected by political parties, sections of civil society and other relevant stakeholders. In this regard, consensus-building among key political stakeholders over the constitution and proposed electoral reforms is key to conducting a timely and credible election.

A key component of the Government's transition agenda was the implementation of a TRRC – created by an Act of Parliament in 2017 to establish a historical and reliable record of human rights violations during the tenure of former President Yahya Jammeh (July 1994 – January 2017)⁷. The work of the Commission, coupled with reparations of victims and public interest was meant to facilitate the healing process, reconciliation and foster social cohesion in the country⁸. The initial presentation of the final TRRC report to the Government on July 12, 2021, had to be postponed for the second time to September 30, 2021⁹. There are also growing concerns among the public and other stakeholders around the timing of the release of the TRRC report given the short period to the election. The expressed concern is that the report and recommendations may indict some political actors which could heighten political tensions and cause public disorder ahead of the election.

The slow implementation of the Security Sector Reform (SSR) process also presents a key challenge for the successful conduct of the 2021 election. The SSR started in September 2017 to create an effective, professional and responsible security sector¹⁰.

² Ibid.

³ Gambiana (Report 2019). IEC suspends NCP from all Electoral Activities. <https://gambiana.com/iec-suspends-ncp-from-all-electoral-activities/> (Accessed 10/07/2021).

⁴ The Digest Network (News Article, 2021). <https://d-infodigest.com/2021/02/16/udp-defection-suku-sighateh-badibou-machiavellian-adama-barrow-and-npp-the-ultimate-seducer-of-big-political-wigs/> (Accessed 10/07/2021).

⁵ CIVICUS Monitor Tracking Civil Space (2020). <https://monitor.civicus.org/updates/2020/02/05/three-years-jotna-protest-137-arrested-two-radio-stations-shut-down-movement-banned/> (Accessed 10/07/2021).

⁶ DW (News Article, 2021). <https://www.dw.com/en/gambias-draft-law-restricts-presidential-terms/a-53825425> (Accessed 12/08/2021).

⁷ Truth, Reconciliation and Reparations Commission (TRRC). <https://www.trrc.gm> (Accessed 12/08/2021).

⁸ Ibid.

⁹ FOROYAA (News, 2021) See: <https://foroyaa.net/trrc-to-submit-final-report-in-september/> (Accessed 12/08/2021).

¹⁰ Institute for Security Studies (ISS) Africa, PSC Report (2021). <https://issafrica.org/pscreport/psc-insights/the-democratisation-process-in-the-gambia-remains-fragile> (Accessed 12/08/2021).

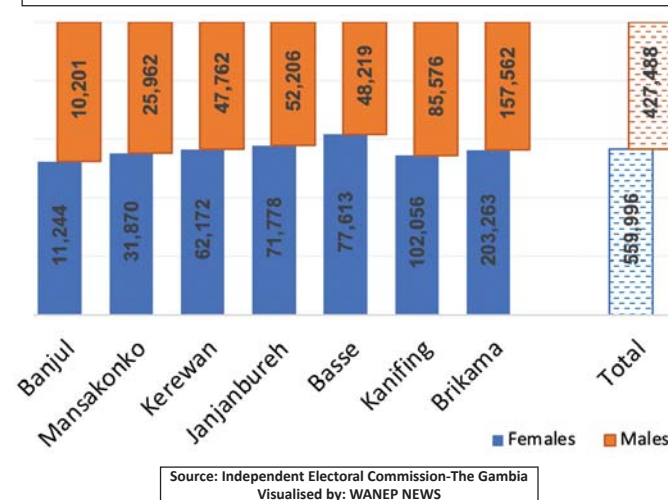
The process led to the adoption of the country's first national security policy, but effective implementation of the SSR has been slow¹¹. This is owing to several deficiencies, such as a lack of training, the politicisation of the security services and a loosely defined legal framework inherited from the former regime¹². Also, downsizing the army remains a sensitive issue. The Gambian army, with an estimated 6,500 troops, is mainly composed of members of Jammeh's Jola ethnic group¹³. In this regard, reforms in the Security Sector are perceived as a ploy to remove or sideline Jolas enlisted in the army. These factors continue to undermine reform processes in the security sector which has a far-reaching ramification for pre- and post-election stability, especially where the security sector has a weak capacity to provide adequate election security. Also, there are concerns that the Police might be used by the ruling government and politicians to intimidate or suppress political opponents. These concerns have been expressed by the opposition UDP and other political parties as well as civil society organisations in series of letters and engagements with the leadership of the Police.

Related to the above is the request by the Government for another twelve months extension of the mandate of the Economic Community of West African States Military Intervention in The Gambia (ECOMIG) to December 2021, and its transition to a police mission after the presidential election. This has provoked widespread public condemnation and further raised questions about the Government's leadership and strategic direction of the security reform process. Afrobarometer research (2021) in which 1,200 adult Gambians were interviewed on the country's governance and economic system, revealed that eight in ten Gambians (78%) want ECOMIG to leave¹⁴. This represents a 28 per cent increase compared to the 50 per cent recorded in

the 2018 research¹⁵. The study also highlighted the magnitude in which Gambians opt for the end of the ECOMIG mandate in the country to allow The Gambia military and police personnel to function effectively¹⁶. Consequently, the prolonged presence of ECOMIG could either serve as a guarantee for post-election stability or trigger reactions that could contribute to pre-election political tensions and further slow the reform process¹⁷.

The historical exclusion of women and youth participation in decision-making processes is also a contentious issue in the prevailing socio-economic and political dynamics of the country. In The Gambia, women represent more than half of the population of 2.4million people (50.4%) (2020 est.)¹⁸. Women also comprise about 57 per cent of the 987,484 registered voters (provisional register 2021)¹⁹. Despite this population dominance, women's participation in governance, protection and promotion of their rights are still very low in society. Currently, out of the 58 members of the Gambian National Assembly, only six are women²⁰. On the cabinet level, there are only four women among 23 Ministers²¹. The challenge of inequality in politics is also reflected at the local leadership level where women constitute only eight out of the 120 councillors in the country²².

Fig. 1: Gender disaggregation of provisional total number of registered voters per region (July 2021)



¹¹. Ibid.

¹². Ibid.

¹³. Ibid.

¹⁴. Afrobarometer Survey (2021). Gambians feel less safe but ECOMIG to leave. https://afrobarometer.org/sites/default/files/press-release/The%20Gambia/news_release-gambians_feel_less_safe_but_want_ecomig_to_leave-afrobarometer-v2-28may21f.pdf (Accessed 12/07/2021).

¹⁵. Ibid

¹⁶. Ibid

¹⁷. Institute for Security Studies (ISS) Africa, PSC Report (2021). <https://issafrica.s3.amazonaws.com/site/uploads/war-31-1.pdf> (Accessed 12/07/2021).

¹⁸. World Bank Data on Population (2020). <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=GM> (Accessed 14/08/2021).

¹⁹. Independent Electoral Commission (Press Release, July 2021). Provisional total number of registered voters per region. <https://gainako.com/iec-registers-over-987000-as-judiciary-rules-against-mayors-attestation/> (Accessed 14/08/2021)

²⁰. WFD (2020). Advancing Democracy in The Gambia through women's leadership. <https://www.wfd.org/2020/12/04/advancing-democracy-in-the-gambia-through-womens-leadership/> (Accessed 14/08/2021)

²¹. Ibid

²². Ibid

Women are also underrepresented in relevant positions within political parties. For instance, all 18 currently registered political parties are led by men, while only a female (Marie Sock) has announced her candidature for the presidency as an independent candidate. The low representation of women in decision-making processes is attributable to entrenched gender inequality fostered by sociocultural and economic conditions in the country. This could suggest the inadequate gender consideration by the State to ensure the participation of women.

Similarly, a growing youth population and high levels of unemployment pose a serious and pressing challenge. The median age of the country is 17 years old, with 64 per cent of the population under the age of 25²³. A 2017 International Labour Organisation (ILO) report estimated youth unemployment to be 38 per cent in The Gambia²⁴. Moreover, other limitations such as quality of education and leadership deficits, contribute to poor representation of youth at political decision levels. Consequently, there are growing inter-generational conflicts and youth are utilizing violence as a tool to push their interests. The risk of these escalating during the electioneering processes is high.

Preparation towards the presidential election by the IEC, political parties and other stakeholders is well underway. However, the spread and deadly nature of the third wave of the COVID-19 pandemic across the country could impact the timely rolling out of planned election-related activities. In July 2021, the Ministry of Health confirmed cases of the COVID-19 Delta variant, marking the third wave of the pandemic in the country²⁵. As of September 16, 2021, The Gambia has a total of 9,867 confirmed cases, 9,504 recoveries and 330 related deaths²⁶. In response, the Government has elevated health

protocols and COVID-19 restrictions across the country remain unchanged. The uncertainty associated with stemming the tide of the pandemic could complicate existing plans of the IEC, political parties and other election stakeholders, particularly in terms of access to rural and hard-to-reach communities on civic and voter education.

Aside the ripple effect unleashed by pandemic on health security of the population, the Gambia economy has also been devastated. The Gross Domestic Product (GDP) plunges into a recession, contracting by 3.1 per cent in 2021²⁷. The tourism sector, which constitutes the biggest foreign exchange earner and accounts for 20 per cent of the country's GDP has been the hardest hit²⁸, with tourists' arrivals set to decline by 28 per cent from 2019, for a loss of \$110 million in revenues and 20,000 jobs²⁹. Also, the decline of remittances from Gambians working in hardest hit Western Europe and United States, which account for 15.3 per cent of GDP, will disproportionately affect vulnerable groups (women, youth, and informal workers), with a negative impact on overall food security, poverty, and income inequality³⁰. In addition, the informal sector, which largely engages women and youths has also suffered severe shocks by the pandemic. Already, the national unemployment rate hovers around 30 percent, with a rate of 40 percent affecting youth between the ages of 15 and 24³¹. Given the rising public discontent against the economic hardships, and continued tensions and disagreements around the electoral processes and among political actors in the country, the risks of protests and demonstrations are likely in the lead up to the 2021 election.

²³. Indexmundi Data sets. https://www.indexmundi.com/the_gambia/demographics_profile.html (Accessed 16/08/2021)

²⁴. FES-PSCC Policy Paper (Publication). Available at: https://www.fes-pscc.org/fileadmin/user_upload/documents/publications/PSCC_Policy_Paper_-_The_role_of_the_regional_forces_in_Gambia_and_what_their_presence_will_mean_in_2021_elections.pdf (Accessed 14/08/2021).

²⁵. Xinhuanet (2021). http://www.xinhuanet.com/english/2021-07/16/c_1310064510.htm (Accessed 14/08/2021).

²⁶. Ministry of Health – The Gambia (COVID-19 Dashboard). Available at: <https://www.moh.gov.gm/covid-19-report/> (Accessed 16/09/2021).

²⁷. Africa Economic Outlook (2020). Amid COVID-19. https://www.afdb.org/sites/default/files/documents/publications/afdb20-04_aeo_supplement_full_report_for_web_0705.pdf#page=60 (Accessed 22/09/2021).

²⁸. World Bank Group. Available at: <https://www.worldbank.org/en/country/gambia/overview> (Accessed on 22/09/2021).

²⁹. Africa Economic Outlook (2020).

³⁰. Ibid.

³¹. Statista (2020). The Gambia: Youth Unemployment rate. <https://www.statista.com/statistics/812009/youth-unemployment-rate-in-gambia/> (Accessed 22/09/2021).

3. Factors Driving Electoral Violence Ahead of the December 4, 2021 Election

The impending presidential election will be held amid a series of proximate and structural challenges that have the potential to spiral into violence and public disorder. Among the risk factors for violence in the country include physical violence and destruction of properties, violent communication, conformity to the rule of law, ethnic and regional divide, and the use of media and new technology. Based on WANEP NEWS reports, a total of 12 election-related violence were recorded across the seven regions of the country between January and August 2021³². An estimated 10 people were injured in identified risk areas and the key actors, as well as victims, include high-ranking political parties leaders and their supporters³³. The Kanifing municipality, Banjul, West Coast, Lower River, Central River, Upper River regions rank high in terms of threats in all the categories as presented in the following incident analysis³⁴.

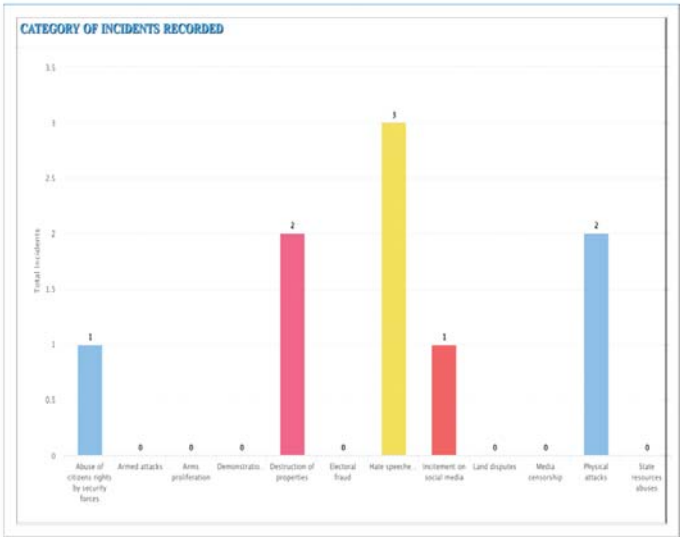


Fig. 1: A graph representing frequency of incidents recorded between July and August 2021
Credit: WANEP "GambiaElects" data

3.1 Physical Violence and Destruction of Properties

Incidents of physical violence and destruction of properties recorded by WANEP NEWS included intimidation, physical assaults and violent protest arising out of violent clashes between specific groups and political parties supporters. Between May 31 – July 4, 2021, the voter registration process was disrupted in Manduar, Kombo Central, West Coast Region as tensions flared over alkaloship and attestation for voters’ registration. The Manduar Mandinka-Kunda and Manduar Toubra (Wollof)-Kunda, who shared the same community, have a history of conflicts over land, ethnolinguistic and Alkaloship³⁵. These protracted conflicts caused disagreements over the issuance of attestation and the location of the village’s registration centre³⁶. This resulted in a confrontation and the IEC personnel were evacuated to safety by the Police³⁷. It was reported that the Police used tear gas canisters to disperse rioters. The reports also indicated an officer was injured and the police station destroyed³⁸.

Furthermore, allegations of registration of minors and non-Gambians marred the voter registration exercise in some communities, especially in the Central River, Upper River and North Bank regions. For instance, there were reported incidents of minors attempting to register in Sare Jawbeh Voter Registration Centre in the Upper River Region³⁹. Also, photos people claimed to be registered minors in Niamina Sambang-Fula Kunda in the Central River Region and the North Bank appeared on various social media platforms⁴⁰. Another setback in the registration process was allegations of intimidation of registrants and interference in the exercise by party agents. According to the voter registration monitoring report of the National Human Rights Commission (NHRC),

³² WANEP NEWS Bulletin (January – August 2021). <http://www.wanep.org> (Accessed 13/08/2021).
³³ Ibid.
³⁴ Ibid.
³⁵ All Africa (News Publication). Available at: <https://allafrica.com/stories/202107010226.html> (Accessed 13/08/2021).
³⁶ Ibid.
³⁷ Ibid.
³⁸ Ibid.
³⁹ National Human Rights Commission (NHRC). Voter Registration Monitoring Report 2021. Available at: <https://www.gm-nhrc.org/download-file/1c7a4523-f922-11eb-86ec-022a5fa1767e> (Accessed 15/08/2021)
⁴⁰ See: <https://fatunetwork.net/voter-registration-photos-emerge-of-iec-registering-minors-development-spark-anger/> (Accessed 15/08/2021).

the Supervisor at Talinding Primary School recalled an occasion where a complaint was made against a party representative who attempted to interfere with the operations of the Centre⁴¹. Furthermore, at Methodist Primary School (Wesley Annex) in Banjul, the Supervisor detailed instances where party representatives would direct improper comments at applicants to persuade them to register at specific locations. This resulted in heightened tensions within local communities, especially in Sare Ngai in the Upper River Region. There were also allegations of confrontation between NPP supporters and the security forces over the registration of non-Gambians in the Upper River Region.



The National Human Rights Commission Voter Registration Monitoring team in Upper River Region.

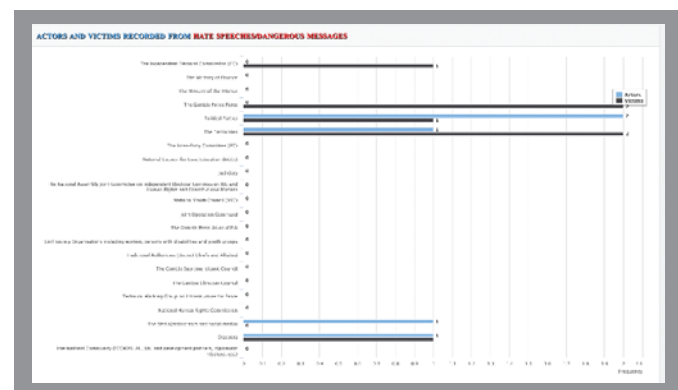
Photo Credit: NHRC

Violent Communication

Although the media/social media has been instrumental in energising political activism and dialogue, evidence from previous elections identifies hostile communication as one of the triggers of violence and conflict before, during and after elections. Such communication heightens tensions among political actors resulting in violence. For instance, at a gathering at the State House in Banjul, Tourism Minister, Hamat Bah warned Gambian Fulas against voting for

the 'rats', insisting it would spell the suffering of Gambian Fulas⁴².

Also, Member of Parliament for Tallinding Constituency, Fatoumata Jawara used intemperate language against Ousainou Darboe and his family, during President Barrow's "Meet the People Tour" at the Buffer Zone, in Tallinding, Kanfing Municipality⁴³. Also, in a recent meeting with former National Assembly Members and Governors, President Barrow was quoted in the standard Newspaper of May 3, 2021 saying that "NPP is not taking the December presidential election lightly. We are ready for anything as far as the elections are concern and when you are about to start a war, there are two things to bear in mind – death or shame. You either take death or shame and we the NPP will rather take death than shame"⁴⁴. In other words, the President was quoted emphasizing winning the upcoming elections as a "do-or-die affair". Within the Africa socio-linguistic setting, references to "do-or-die" politics point to a negative-sum game where only one winner emerges and for which reason one seeks to win at all costs. Notwithstanding the reality that only one party can be declared winner, declaring it in such striking terms may have implications for peace and security before, during and after the elections.



⁴¹. Opt. cit. NHRC Voter Registration Monitoring Report 2021.

⁴². Fatu Network (News, 2021). <https://fatunetwork.net/hamat-bah-warns-gambian-fulas-against-voting-for-the-rats-that-are-moving-about/> (Accessed 15/08/2021).

⁴³. The Point Gambia (News). <https://thepoint.gm/africa/gambia/article/opinion-from-ya-kumba-jaiteh-to-fatoumata-jawara-why-are-young-parliamentarians-problematic-in-new-g> (Accessed 15/08/2021)

⁴⁴ The Standard Gambia (News). <https://standard.gm/npp-will-prefer-death-to-shame-in-december-election-barrow/> (Accessed 13/08/2021)

Ethnic and Regional Divisive Politics

Ethnic consideration continues to be one of the greatest dividers that set the people of The Gambia apart. It most often heightened during the time of elections. Political elites always bring to fore the ethnic card to attract empathy and canvass votes from ethnic groups. This was manifested in the voting pattern of the parliamentary and local council elections in 2017 and 2018, respectively. In this regard, UDP won more seats in the Mandinka predominant settlements, the Gambia Democratic Congress (GDC) won in areas where there are more Fulanis and Wollofs, while the APRC recorded their victories in the Jola communities including Foni Region – the homeland of the former President. This is considered to be a by-product of years of neo-patrimonialism entrenched by the erstwhile leader which has deepened the division of the country along ethnic lines. This legacy of Jammeh continues to pose a threat to social cohesion and the potential to undermine the peaceful conduct of elections in the country.

Conformity with the Rule of Law and Principles of Good Governance

At the core of free, credible and transparent elections is conformity with the rule of law and principles of good governance. Consequently, infractions on the rule of law are indicators of potential tensions and conflict before, during and after the elections. Attempts to pass the 2021 Draft Elections Bill have been unsuccessful and the legal shortcomings continue, including disputes over the removal of nominated Members of Parliament by the President, and issuance of attestations by the Mayoress of Banjul. Specifically, two CSOs (Center for Research and Policy Development and Gambia Participate) and the Councilor for Box Bar Ward, filed a summon challenging the legality and validity of the mandate granted to the Mayor of Banjul to issue attestations to individuals in Banjul by

the IEC. And according to the High Court ruling, the action of the IEC in conferring the power on the Mayor of Banjul to issue attestation contravened the Elections Act⁴⁵. While Section 11 of the Electoral Act⁴⁶ and Section 39 of the 1997 Constitution⁴⁷ provide for Gambian citizens in the Diaspora to be registered to participate in elections and referenda, it has been noted that no arrangements have been made to cater for citizens outside the country in the 2021 presidential election. Following best practice in keeping with the principle of inclusivity, is to ensure that citizens in the Diaspora are not disenfranchised by their location.

Social Media and Diaspora Mobilization

Social media has been a vital tool for advancing and promoting political participation. However, it continues to be exploited and manipulated as a propaganda tool for violent communication which has negative effects on the conduct of peaceful elections. In the lead up to the election, social media, particularly Whatsapp and Facebook, have been reportedly used to publish fake news, hate speeches, inflammatory remarks and incitements of violence by some politicians and their supporters. For instance, in 2018, Abdoulie Saine, former Banjul North Parliamentarian, was arrested and charged with incitement to violence in connection with audio released online in which he insulted and disparaged the Mandinka ethnic group⁴⁸. Also, in 2018, Ismaila Ceesay, at the time a lecturer at the University of The Gambia and the leader of the Citizens Alliance (CA), was detained by police for an article on the relationship between the military and the government⁴⁹. The police claimed that this article constituted incitement to violence⁵⁰.

⁴⁵ The Voice Gambia (News). <https://www.voicegambia.com/2021/07/14/high-court-rules-against-banjul-mayor/> (Accessed 14/08/2021)

⁴⁶ Section 11 of the Electoral Act states: "The Commission shall prepare, compile and maintain in accordance with this Part, a register of voters for each constituency and a register of Gambian registered voters in foreign countries."

⁴⁷ Section 39 of the Constitution states: "Every citizen of The Gambia being of eighteen years or older and of sound mind shall have the right to vote for the purpose of elections of a President and members of the National Assembly, and shall be entitled to be registered as a voter in a National Assembly constituency for that purpose."

⁴⁸ The Standard Gambia (News). <https://standard.gm/lie-saine-charged-condemned-by-aprc/> (Accessed 09/08/2021).

⁴⁹ Op. Cit. BIT Transformation Index

⁵⁰ Ibid

Key Resilient Factors

Despite ongoing tensions in the lead up to the presidential election, The Gambia has existing institutions that could be engaged to build trust and confidence among stakeholders to mitigate threats to a peaceful election.

Existence of the Inter-Party Committee (IPC): The Inter-Party Committee (IPC), which helps coordinate relationships and serve as a dialogue forum amongst Gambia’s political parties, also holds the potential to reinforce stability and social cohesion. The IPC continues to be a respected medium for the resolution of politically motivated conflicts, delivered through engagements and dialogue efforts. The IPC also engages in sensitising the public and political party members on issues of tribal politics and exclusionary ethnolinguistic practices.

The Judiciary:

The Judiciary continues to play a crucial role in the country’s democratization process. There have been significant rulings that have renewed hope and confidence in the independence of the Judiciary. A typical example is the Supreme Court ruling against the removal of the National Assembly member, Yakumba Jaiteh, from Parliament following his nomination by President Barrow in January 2020. In another landmark ruling, the Supreme Court also directed the IEC to register Gambians in the diaspora to participate in all public elections and referenda. The Judiciary could play a pivotal role in resolving election-related disputes that may arise before, during and after the December presidential election.

Technical Working Group (TWG) on Establishing Infrastructure for Peace:

The TWG was established under the UNDP project “Consolidating Democratic Governance for Development in The Gambia, 2018-2021.” While the TWG is focused on working with the Government, CSOs, and development partners to promote and institutionalise the process of conflict prevention, it could also mobilise national capacities

and structures to support preventive diplomacy, facilitate dialogue, mediation and other response strategies in the lead up to the election and beyond.

International Organisations:

Intergovernmental organisations, especially ECOWAS, AU, UNOWAS have been instrumental in addressing challenges of democratic governance in The Gambia. The presence of ECOWAS national bureau, the African Union Technical Support to The Gambia (AUTSTG) and international partners in the country contributes to strengthening and upholding democratic norms, solidifying the gains that have already been made and making further progress more likely. These organisations have also engaged in a lot of preventive diplomacy with the key political actors in and outside the country.

The Role of Civil Society and Other Interest Groups:

Vibrant and well-informed Civil Society Organizations (CSOs), women, youth and other interest groups, could contribute to the prevention and mitigation of tensions in the country. While CSOs in The Gambia grapple with finding unified voices around the key issues, they have formed a coalition on the election to engage various stakeholders and play a critical role in promoting peace and non-violence in the electoral process. Furthermore, WANEP has established a National Election Response Group (NERG) with the primary objective 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. The group will also operate an Election Situation Room (ESR) to observe threats to the peaceful conduct of the election and provide strategic responses to prevent and mitigate election-related violence. Additionally, the eminent persons will maintain strong coordination with other observation local and international missions to ensure accurate

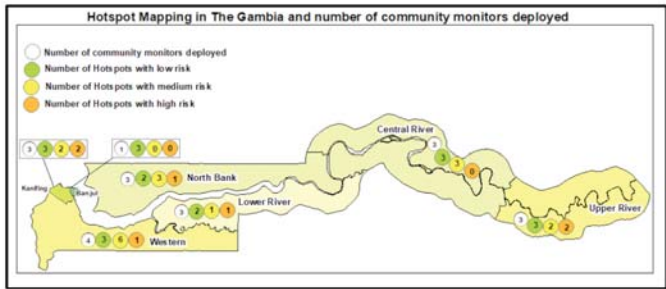


Fig. 3: Map of The Gambia Showing identified hotspots across the seven regions of the country - Credit: WANEP NEWS

information sharing and corroboration of incidents reported. At present, 20 pre-election community monitors have been trained and deployed to regions identified by WANEP National Early Warning System (NEWS) as hotspots. The NERG is a key component of a broader project titled “Electoral violence Monitoring, Analysis and Mitigation (EMAM)” funded by the European Union.

‘Seyfo (Chiefs) and Alkalos (Village heads) ’:

These are Districts and Village Heads who among other duties have the responsibility to mediate community conflicts. With their knowledge of the norms and traditions of the people, they are a credible resource for conflict prevention and social cohesion before, during and after the election.

Scenarios:

Given the foregoing analysis, this policy brief envisages the following scenarios before, during and after the December 2021 presidential elections.

• Best case (Unlikely)

Despite the heightening political tensions, the election is held on December 4, 2021, with no incidents of disenfranchisement, election-related violence and other irregularities. Also, irrespective of rising threats of violence and the spread of the COVID-19 infections across the country, voters turn out at the polling centers, while the Police are able to protect them for voting to go on peacefully. During the post-election period, voters and political leaders conduct themselves in a peaceful manner devoid of hate speeches, political rhetoric, insults and provocative remarks. The election outcome declared by the IEC is accepted by all and the losers congratulate the winner.

• Middle case (Probable)

Given the allegations and counter-allegations of under-aged and foreigners allowed to register during the voter registration, the IEC exhibited voter register is contested and the matter is taken to the Revising Court to ensure transparency in the compilation of the final register. As a result, tensions escalate in the lead up to the elections, the IEC, IPC, international guarantors and CSOs embark on preventive dialogue and consultations with relevant stakeholders to resolve the stalemate and restore confidence in the electoral process.

• Worst case (Likely)

The election is held as planned on December 4, 2021, despite the rising cases of COVID-19 as well as political violence and confrontation between supporters of the various political parties, especially UDP, APRC and NPP. The election led to accusations and counter-accusations by political parties claiming electoral fraud and irregularities. The EMBs, the international community, the CSOs and the media are also blamed for not ensuring a level playing field in the election process. The counting and collation of results are done amidst anxiety and tensions. Election results are announced and the losers challenge the outcome and threaten to go to court. Some political parties file an injunction against the outcome of the results in the Supreme Court, which may order a recounting of the votes or call for a fresh election. Political party supporters break into a riot while the security forces (police and military) are called upon to maintain law and order.

Recommendations:

Given the above scenarios, the policy brief proposes the following recommendations for response to engage key political actors and critical stakeholders to prevent or mitigate the risk of violent conflicts before, during and after the election:

The Government, Security and Judiciary

- There is the need for the Government to create space for inclusive participation and consensus-building by key political stakeholders to address the disagreements around electoral and other legal reforms and build new pathways for democratic stability;
- The leadership of The Gambia Police Force and other security agencies should be more proactive and non-partisan in the discharge of their duties and functions and the militarization of the election should be discouraged and condemned;
- The security agencies need to work collaboratively and collectively to ensure that they continually have the confidence of the electorates. All information originating from the security forces has to be conflict-sensitive. As a result, the Joint Security Command (JOC) should be expanded to include key peace and election security experts from the CSOs and academia as well as the ECOWAS Special Representative in the Gambia;

- There is a need for the Revising Courts to expedite timely judgements of election-related offences/disputes to forestall possible violence that could emanate from delays by political interest groups of aggrieved party supporters.

Independent Electoral Commission (IEC)

- Considering the worrisome trajectory of the third wave of COVID-19 pandemic in the country, the IEC should consider adopting best practices in the implementation of COVID-19 protocols from countries that have held elections amid the pandemic;

- IEC should intensify regular consultation with stakeholders, including more frequent engagement with political parties through the IPC to address issues that are emerging as well as respond to the various concerns surrounding the upcoming election to dispel misinformation and hence protect the integrity of the electoral process.

IPC and Political Parties

- The Inter-party Committee (IPC) should engage the leadership of political parties to commit to their Memorandum of Understanding (MOU) to promote political tolerance and non-violence and effect sanctions on any party that violates the provisions of the MOU;

- Political parties should constructively work together to promote political dialogue, tolerance and non-violent communication in the lead up to the election and beyond;

- Political parties must desist from using political vigilantes for personal security during and after the elections and must also be held accountable for the behaviours of their supporters. The political parties should denounce and support law enforcement agencies to trace and prosecute electoral law offenders, irrespective of their allegiance.

National Council for Civic Education (NCCE)

- The National Council for Civic Education (NCCE) should foster collaboration with CSOs, Faith-Based Organisation and the media to intensify collaboration in promoting peace and civic education as well as improve public trust and confidence in the electoral process.

ECOWAS/AU/UN and Development Partners

- The ECOWAS, AU, UN and international partners should intensify their engagements with key political

parties and actors in dialogue before, during and after the elections as a strategy to prevent political actors from influencing or mobilising support for violence across the country;

- ECOWAS/AU/UN should ensure that their contact groups of influential persons are present on the ground to closely monitor the political situation in the country and be prepared to undertake preventive diplomacy in time to prevent conflict;

- Coordination among the various international interlocutors and guarantors of peace should be strengthened to ensure synergy of purpose.

Religious and Traditional Authorities

- Religious leaders including the Supreme Islamic Council and The Gambia Christian Council should mobilize and engage stakeholders in efforts to prevent further fragmentation, counter violence and promote peace in the entire election cycle.

CSOs, Media and Diaspora

- The civil society, especially youth, women, physically challenged and trade unions should intensify their public campaign of unity, peace and voter education as well as continue to engage other stakeholders in promoting clean election and monitoring of the process;

- The Gambia Press Union (GPU) should be more vigilant to ensure effective and efficient monitoring of the media landscape while promoting freedom of expression and providing equal access to all political segments of society.

Conclusion

The December 2021 elections will have profound consequences on the democratic trajectory and consolidation of the gains made by the Barrow administration. The threats and potential for violent conflict are imminent as some politicians and supporters continue to use ethnicity as a mechanism for voter mobilisation. The utilization of the media as a platform for character assassination and defamation of party leaders by political opponents has the potential to incite electoral violence. To prevent and/or mitigate this threat, it is imperative to intensify multi-stakeholders efforts to ensure a credible and peaceful electoral process in The Gambia.

GAMBIA

**Presidential Election 2021:
A Pathway towards Democratic Consolidation or Retrogression?**

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