



Preliminary Statement on the Conduct of the 2022 Parliamentary Election Sunday, April 10 2022

Delivered at the Metzy Residence Hotel, Gambia

On Saturday, April 9, 2022, Gambia Participates and its partners Gambia Bar Association and Transitional Justice Working Group deployed 411 trained, accredited and non-partisan observers spread across all 53 constituencies and 7 regions of The Gambia. Of these, 65 were mobile observers and 346 deployed as stationary observers to polling stations. Gambia Participates' observers were in every corner of the country from the remotest rural areas to the urban cities, observing and reporting on the process.

Gambia Participates employed a systematic election observation methodology to provide timely, independent and credible information on the conduct of the elections from the opening to the closing of polls. Our observers remained at their assigned polling stations the entire day to observe setup and opening of the polls, voting, counting, and the declaration of results. Observers recorded their observations on standardized forms and reported their observations in real time via coded text messages to the Gambia Participates Election Data Centre in Kololi at seven designated times.

As predicted, voter turnout in the election was lower (50%) compared to the presidential elections (89%). While inadequate voter education was identified as a potential problem, conducting elections during major events such as the religious observances of Ramadan and Lent may have impacted voter turnout in the elections. Without prejudice to section 96 of the 1997 Constitution, the IEC should consider adjusting its election calendar to ensure no election or major election activities are conducted during such events in order not to discourage voter participation. Citizens' democratic participation is too important to allow encumbrances that will discourage higher voter participation. The National Assembly must prioritize legislation to harmonize the presidential and legislative elections as this will reduce cost of elections and increase participation. Gambia Participates is concerned that the number of elected women parliamentarians will remain the same in the 6th as in the 5th National Assembly, meaning that The Gambia has not progressed in increasing women's representation in elective positions since the 2017 transition. Gambia Participates urges the new National Assembly to re-introduce and pass the Women's Reservation Bill 2021 to guarantee the inclusion of more women and persons with disabilities in our legislature.

Summary of Preliminary Pre-Election and Election Day Findings

Pre-Election Findings

Although the pre-election environment was mainly calm and peaceful, there were a few reported critical incidents.

The rejection of UDP's Candidate for Busumbala constituency Momodou Sabally propelled unrest between UDP followers and police personnel. Observers reported the use of excessive force by police personnel and the throwing of harmful debris at police personnel by UDP supporters. The Police Intervention Unit (PIU) did not handle the incident in a professional manner. During a dialogue with CSOs and IEC on March 15, a representative from the office of the Inspector General of Police (IGP) confirmed that they have received the report of the said incident and it is being investigated.

The rejection of the nomination of Momodou Sabally as representative for Busumbala constituency was one of the highpoints of the pre-election period. The IEC's Returning Officer for Brikama Administrative Area rejected the latter's nomination. The High Court of The Gambia was involved in the case which was filed on March 17, 2022 by the plaintiff and it was decided by the High Court on April 1, 2022. The High Court dismissed the plaintiff's case to invalidate the IEC's decision to reject the nomination and reasons were given for the dismissal and it was based in law.

Voter inducements in monetary and material forms were reported by our observers, in both the pre-election period and on election day. This violates section 117 of the Elections Act and electoral code of conduct.

As projected in our pre-election reports, female representation was expected to be very low in this parliamentary elections, only 3 women out of the 19 female candidates were elected. These were the female candidates for Banjul South (Independent), Foni Berefet (Independent), Sannehmentereng (UDP). The total percentage of elected female candidates will remain at 5%.

This preliminary statement incorporates updates of some of the information made available to the public in the Election Day Situational Report released on Saturday, April 9, 2022. This preliminary statement is based on reports received from observers in every region and constituency, and covers the processes of voting, counting and announcement of results at the polling stations level.

Based on reports from 99% of observed polling stations, Gambia Participates finds that across the country, the polling process afforded Gambians a credible opportunity to exercise their right to vote. The preliminary analysis of the reports indicated that the election day processes were substantially conducted in accordance with the electoral laws and procedures of The Gambia. Although there were some challenges, such as chaos at Medina Sey Kunda Bantaba at Sinchu Alagie Polling Station in the Old Yundum constituency as a result of voter inducements by party agents which prompted the polling officials to delay the voting process for up to two-hours. There were instances of intimidation and harassment allegedly by the State Intelligence Services (SIS) in Jokadu constituency. These issues were isolated and they did not systematically disadvantage any candidate or party or undermine the overall integrity of the process.

Gambia Participates observers were accredited by the IEC and allowed to observe the entire processes of the election.

Election Day Preliminary Findings

Voting Process

Persons with disability were seen at 82%, the elderly at 96%, pregnant women, nursing mothers at 91% and sick persons at 73% were given priority to vote before others in most of the observed polling stations. 5% of polling stations observed were not set up in locations that are accessible to persons with disabilities.

Adherence to election procedures

The election day procedures as codified in the electoral guidelines and manual were largely respected in the administration of the election across most of the observed polling stations. All potential voters were asked to show their voter ID cards before being permitted to vote in all

observed polling stations, voter's fingerprints were checked prior to voting and voter's fingers were marked with indelible ink prior to voting in all observed polling stations.

No voting by proxy was allowed as every person's details were checked against the register of voters in all polling stations observed.

Gambia Participates observers reported that the polling officials and security agents conducted themselves professionally and in a non-partisan manner in the vast majority of observed polling stations.

The voting process was concluded early in most of the observed polling stations and every potential voter who was on the queue was given an opportunity to vote. In 20% of polling stations, everyone on the queue at 5:00pm was given an opportunity to vote.

38% of polling stations had completed voting before 5:00 pm, while by 5:30 pm, 98% of polling stations had completed voting,

Misconducts at polling stations

- Incidents of harassment and intimidation of voters were recorded in 6% of observed polling stations. Polling officials were intimidated, harassed or assaulted at 4% of polling stations. In 4% of polling stations, women were particularly affected by incidents of intimidation, harassment or violence (this includes women as voters, polling officials, security, party agents or observers).
- In 2% of polling stations, observers reported that party agents attempted to influence polling officials.
- In a handful of polling stations, people were seen canvassing for votes (asking people to vote for a particular candidate) around the polling stations. Specifically, in Bakau constituency (polling unit New Town Lower Basic School) when the NPP candidate came to vote, a man from the entourage attempted to influence two women to vote for the NPP candidate, but he was stopped by people in the polling station, similar incident was reported at Old Yundum Constituency.

Counting Process

- In all of the observed polling stations, polling officials arranged the tokens on the counting tray and the filled counting tray was shown to the party agents, domestic and international observers present.
- In 4% of polling stations there were incidents of harassment and intimidation of polling officials, party/candidate agents or observers during the counting of ballots tokens.
- In 5% of polling stations, voters crowded the polling officials during counting of ballot tokens.

Announcement and Posting of results

- For those polling stations where party agents were present, the party agents signed and received copies of the official results. APRC agents were not seen in 82% of polling stations observed, CA agents were not in 80%, GDC agents were not in 47%, NPP agents

were not seen in 17%, PDOIS agents were not in 62%, UDP agents were not seen 14%, agents for independent candidates were not in 22% and no agents for other parties in 71% of polling stations.

- In 99% of polling stations, the official results were posted for the public to see.

Mainstreaming participation of women as polling officials

- In 4% of polling stations, no polling officials was a woman, 29% of polling stations had one woman polling official, 48% of polling stations had two women polling officials. In 16% of polling stations, three of the polling officials were women. In 18% of the polling stations, the presiding officers were women.

Critical Incidents

Gambia Participates established a Critical Incident desk as part of its Election Data Centre to receive urgent messages from its observers. Over the course of Election Day, Gambia Participates confirmed 11 incidents witnessed by its citizen observers. Some of which were:

- **Disruption of the voting process:** The voting process was disrupted in Chamen Polling Station in the Nianija constituency by a voter. This happened when the incumbent Adama Camara visited the polling station to inspect the placement of the ballot drums. The voter demanded the parliamentarian to vacate the polling booth and this resulted in a push and pull which disrupted the voting process. An altercation was also reported between supporters of the UDP and NPP at the Nawlaru polling station in Central Baddibu. A candidate of the UDP was allowed into the voting area by the presiding officer to observe the set-up of the ballot drums, NPP supporters were however not happy with the decision and this led to verbal assaults and disruption of the voting process.
- **Intimidation and Harassment of Voters:** A suspected State Intelligence Service (SIS) agent was seen taking snapshots of voters around the polling station in Munyagen Health Center in Jokadou at about 1:45pm. This act provoked a negative reaction from UDP voters who felt violated and intimidated. Chaos broke out which delayed the voting process.
- **Voting Suspended:** The voting process was suspended for a short time in Catamina Polling Station in Niamina West when the NUP candidate raised a complaint that his party's color was not reflected on the ballot drum. He alleged that the IEC presented a black and white ballot drum. This was discovered at about 2:00pm when the NUP was making a tour of polling stations. The IEC however, after the complaint raised by the candidate, brought out the ballot drums for all party agents to confirm the respective colors before the ballot boxes were returned to the polling booth in the presence of the complainant.

Similarly, in Foni Brefet Bajana polling station, a fight ensued between the Presiding Officer and some angry voters aboard a commercial vehicle. The presiding officer was attacked by these angry voters. The incident was later reported to the nearest police station so as to restore calm and order in the polling station for the voting to continue.

- **Vote Buying:** Vote buying was reported in New Town – Lower Basic School Polling station of Bakau Constituency. NPP supporters were seen distributing funds to voters to buy their votes. An NPP supporter was also seen giving money to voters in Jambanjelly Market in Kombo South.

- **Violence around the Polling Station:** The councilor for Sinchu Alagie Ward and the NPP alliance supporters were seen canvassing for votes in Medina Sey Kunda (Sinchu Alagie) Bantaba in Old Yundum. Supporters of PDOIS raised objections and a fight ensued between the supporters of the two parties at the polling station.

Recommendations

1. In order to improve voter participation and reduce the cost of elections, the National Assembly should accelerate the consideration of legislation to harmonize elections.
2. There is a need for all stakeholders to prioritize voter education on who should be granted access to polling booths during elections. The altercations reported between candidates and voters could have been avoided if voters are informed beforehand that candidates have rights to inspect polling booths during elections with the company of IEC polling officials.
3. As reported in our pre-election reports in 2021 and 2022, there is a need for swift electoral reform to improve the electoral system in The Gambia. Especially election data consistency from the electoral body.
4. As observed, conducting elections during major events such as the religious observances of Ramadan and Lent may have impacted turnout in the elections. The IEC should reconsider adjusting its election calendar to ensure no election or major election activities are conducted during such events in order not discourage participation.
5. The IEC should improve accessibility of venues such as polling stations used for election administration. They should liaise with stakeholders to relocate polling stations that are not conducive in order to increase access for persons with disability.
6. We reiterate our call to the IEC to publish polling station-level election results on its website to increase transparency of the elections.
7. In the long-term, Gambia Participates also urges political parties to fulfill The Gambia's commitments to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which the country ratified in 2005, by introducing systematic changes to their internal structures that guarantee women in at least 50% of elected offices. Passing the recently-defeated Women's Reservation Bill 2021 and draft constitution would be the first step in fulfilling these commitments and demonstrating to Gambian women that the government is committed to equality.
8. The 6th Legislature should open its doors for collaboration between civil society and parliamentarians
9. Civil society and development partners should support capacity strengthening initiatives to the 6th National Assembly, especially the newly elected candidates to strengthen their parliament's oversight work.

Conclusion

Gambia Participates would like to commend IEC for its steadfastness during this election and its continuing efforts to ensure integrity of the process. We commend the security agents for their work during the electoral cycle while encouraging them to scale up their conduct as exhibited during the 2021 pre-election activities. We commend Gambian's for their determination to exercise their right

to vote and generally participating peacefully in the polling process, we urge all citizens to remain peaceful in this transition period. We commend the youth, who participated actively in the 2021 Presidential and 2022 Parliamentary elections. Now that these two elections are complete, they should not relent in holding these elected officials to account, for the good of The Gambia.

Gambia Participates and its partners Gambia Bar Association and Transitional Justice Working Groups appreciates the hard work and commitment of our many volunteers who observed the election on behalf of all the people of The Gambia. Gambia Participates and its partners appreciates the unwavering support of our partners the International Republic Institute (IRI) towards making this observation mission possible. We equally appreciate the generous support of the National Endowment for Democracy. Gambia Participates also appreciates our partner Yiaga Africa for the continuous technical assistance to our election observation mission.

Signed

Marr Nyang



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Gambia Participates