



REPORT ON DELEGATION VISIT TO THE GAMBIA BY THE SIERRA-LEONE POLITICAL PARTIE'S REGULATION COMMISSION



4TH -13TH FEBRUARY 2023

1. INTRODUCTION

The Gambia's Interparty Committee (IPC) established through a Memorandum of Understanding (MOU) comprises representatives of political parties who came together as one body with the objective to promote-peace, tranquility, tolerance, political decency and resolve conflicts before, during and after elections. It was formed in 2005 and became more active in 2016-17 amidst a serious crackdown on the opposition party UDP then accused of protesting for electoral reforms without police permit. Some of the executive members were arrested during which time their erstwhile youth leader, one, Mr Solo Sandeng unfortunately died in the national intelligence agency cells, reported as death by torture, following a high court judgement. These events triggered the rejuvenation of the IPC in 2017 which today stands as a platform for dialogue and cooperation, to ensure consensus building amongst political parties on contested political and electoral issues, and to promote national reconciliation and nation building.

The IPC which is acknowledged as one of the most critical stakeholders in the country's politics and peacebuilding processes, constructively works with the Independent Electoral Commission (IEC) in monitoring and encouraging compliance with the Electoral Code of Conduct and in ensuring free, fair, transparent, and credible elections. They have made strides in promoting inter-party co-operation and dialogue and building consensus amongst political parties including advocating for political participation of women, youth, and other marginalized groups.

Political Parties are the vehicles through which citizens can realize their political rights. They provide an avenue for citizens to exercise their sovereign powers through their democratically elected representatives. The importance and the need of involvement of political parties in the preparation for elections cannot be over emphasized, their role remains critical to the democratic process and as such must abide by certain principles of good governance.

Political parties are supposed to conform to the democratic principles of participation, free choice, rule of law, political tolerance, and transparency. It is with this same recognition that the Political Parties Registration Commission of Sierra Leone was fashioned. On 29th June 2022, the Parliament of Sierra-Leone, enacted the Political Parties Regulation Commission Act, 2022 which established

the Political Parties Registration Commission with the object of registering and supervising the conduct of political parties.

The PPRC is mandated by law to promote political pluralism and the spirit of constitutionalism among political parties. The Committee has the power to enforce the Political Parties Codes of Conduct which all parties must subscribe to and in so doing it is equally empowered to monitor all activities of political parties and the accountability of political parties to their membership and to the electorate of Sierra Leone.

2. CONTEXT OF THE VISIT

The Political Parties Registration Commission (PPRC) of Sierra Leone, led by its Chair, **Abdulai M. Bangurah**, arrived in the Gambia on Saturday 4th February 2023 to undertake a Study Tour in the Gambia in preparation for the daunting task ahead of the June 2023 General Elections. The purpose of the visit was to gather knowledge and experience on the model adopted in Gambia through establishment of an Inter-Party Committee as a forum for dialogue and co-operation among all political parties and how the Gambian model has facilitated dialogue and cooperation among players in the electoral process include the mainstreaming of peaceful resolution of election conflicts. Given the vital role of PPRC in Elections they deemed it fit to benchmark by way of discussion and dialogue with key partners in the election process in the Gambia.

The delegation comprising of the Chairperson of the Commission, two other Commissioners and three Senior Staff members of the Commission, arrived under the auspices of the Head of the Gambia Mission in Sierra- Leone. The IPC was bestowed with the mantle to take charge of logistics and ensure success in all their undertakings. A delegation from the IPC comprising of the Former Co-Chairs Hon. Halifa Sallah and Amul Nyassi and Current Co-Chairpersons, Hons. Saikou Bah and Samba Baldeh, Representatives of the Women and Youth IPC and the Secretary to the IPC was constituted to drive the engagements and marshal the necessary diplomatic and security architecture and media coverage in the service of the mission.

3. OVERVIEW OF PROGRAMME

A draft itinerary was prepared in consultation with the Ministry of Foreign Affairs who took lead as the liaison to facilitate the implementation of all the proposals highlighted in the mission with a first visit to the Sierra Leone High Commission in The Gambia and a subsequent familiarization meeting with IPC and its branches.

The Mission then proceed to have detailed engagements at various meetings as per the scheduled program:

3.1 Meeting with the Minister of Foreign Affairs and the Permanent Secretary

The delegation met with the Minister in his Office, marking the start of the weeklong study tour. The Foreign Affairs Minister, Hon. Dr. Mamadou Tangara, welcomed the delegation sharing the importance he attached to the mission having rescheduled an appearance before the National Assembly.

The Chairperson of the PPRC, Mr. Bangurah expressed hope that at the end of the tour, his Commission would be able to replicate the successes gained by the IPC before, during and after the elections.

Acknowledging the trust, confidence, and respect that the IPC has gained in the Country, the Minister lauded the initiative taken while singling out the patriotic position of the IPC as key to its successes towards Nation Building. He encouraged the PPRC to draw lessons from IPC's lens.



The Minister thanked the IPC and the Gambia's High Commissioner in Sierra Leone for making the study tour a success. He reiterated Governments resolve in strengthening regional cooperation to ensure peaceful elections.

Key Reflections:

- i. Efforts towards reinforcing the close bilateral partnership and collaboration between Sierra Leone and the Gambia.***

3.2 Meeting with the Ministry of Interior

The importance of Election Security Arrangement programmes during the election period formed the agenda of this engagement in the context of the roles of IPC under self-regulating measures and the PPRC through available legislative regulatory tools to prevent conflict during political campaigns. Interface with the police by the IPC emerged as a measure guaranteed through joint security arrangement programmes between the Police, IEC, and the IPC including the designation of a police officer responsible for political party activities to manage coordination of security during elections.

The PPRC approach was presented as a requirement for continuous dialogue with police during the election process owing to the PPRC's legal mandate to supervise, monitor and mediate among warring political parties. They sought to know how Gambia can build partnership with the police without any legislative tools.



The Minister of Interior, Hon. Yankuba Sonko expressed the commitment of the police to work within established collaboration frameworks while lauding the efforts by the IPC in developing a culture of co-operation with the police. While appreciating the different approaches in electoral space within the continent he urged the IPC to equally visit the Sierra Leone and borrow relatable best practices.

Several highlights were shared on the milestones achieved through assistance from the UNDP in empowering communication tools between the IEC and the police and undertaking training of police to put in place the right democratic setting. This was appreciated as largely contributing to well managed campaigns through rolling out of robust programmes in collaboration with the IEC.

Key Reflections:

- ii. Challenging ECOWAS to move into the domain of joint efforts to enable citizen empowerment and participation in democratic transition.***
- iii. Need for dialogue trips by the IPC to Sierra Leone to equally impart this knowledge to the EMB and other stakeholders including the Police and how they can impart experience on their practices.***

3.3 Meeting with the Minister of Justice

The meeting with the Minister, Hon. Dawda. A. Jallow focused on an understanding as to the place of legislation in managing political competition and maintaining peace and security during elections. In the wake of PPRC's legislative outfit and the self-regulating mechanisms of the IPC, Mr. Bangurah and his team sought to know how legislative interventions, if any, have been able to compliment the work of the IPC.

Hon. Sallah on behalf of the IPC introduced the visit as a mission to give importance to the sub-region integration and the place of democracy in supplementing peace and governance hence embracing it as a convergence of practice exhibiting integration of all institutions in building the peace architecture.



On his part, Hon. Dawda acknowledged the visit as an important process to the Transitional Justice Programme while appreciating that Gambia also learnt from Sierra Leone in its reform agenda and alluding to the possibility of the Gambia further benchmarking on the legislative design in Sierra Leone. He noted the role of IPC as strategic in the Gambian context, in grooming political parties but lay particular emphasis on the role IPC has played in the electoral law reform process. With an indication that the legislative reforms anticipated in elections was not fully realized as the Elections Bill is still pending in the National Assembly, he however singled out participation of the IPC in informing some of the proposals in the Bill as a positive element of public participation.

He alluded to a number of debatable legal issues around the legal reform agenda key among them; Amendment of the constitution and possibility of Supreme Court Advisory on whether the wording of the Constitution is sufficient to enable intended amendments; Voting by Gambian Citizens in the diaspora and the attending legal and operational challenges; Voting by prisoners and the inherent human rights principles; Change of the electoral voting system weighed against the Gambian public views; and Review of the Criminal Justice System.

Relatedly were discussions around election dispute resolution and the place of IPC in mitigating political disputes and diffusing tensions and complaints with hindsight that interparty disputes

are escalated to IEC whereas post-election disputes are relegated to the exclusive jurisdiction of the Supreme Court under the Petition System governed by the constitution.

The process of elections, he concluded, must be seen to be free and fair and as such he stated that it has been the Ministry's approach to keep their distance from IEC to avoid any perceived integrity concerns in as much as the Ministry of Justice remains the line Ministry to the IEC. He however indicated that the Ministry will on occasion assist the IEC to advance budgetary concerns and funding for the IEC at higher levels.

Key Reflections:

- i. How can Self Regulating Mechanisms best integrate with the legislative agenda?***
- ii. Importance of public participation in enactment of election laws.***
- iii. The place of technology in improving the judicial system.***

3.4 Meeting with the Inspector General of Police

The delegation was received at the Inspector General of Police where they had a closed-door productive dialogue with The Inspector General of Police (IGP) before proceeding for a presentation by the Operations Unit of the Gambia Police Force (GPF) on the plans and operational strategies instituted during the elections.

The IGP, Mr Abdoulie Sanyang buttressed the role played in ensuring that there is sufficient security coverage throughout the campaign period and after voting whereof he indicated that for the first time all six presidential candidates were allocated equal number of security personnel during campaigns and immediately after voting.

He emphasized the vital role of the police and shared the success story of the GPF's strategies for a fair election. Mr Abdoulie M. Bangura expressed his appreciation for the audience afforded while lauding the collaboration and efforts of the IGP, GPF, and other stakeholders in The Gambia towards promoting peaceful elections.

The delegation was then invited to a presentation by the Commissioner of Region, Commissioner Sireh Jabang who provided an overview of some of the milestones achieved by the Police during

the current election cycle. They were able to appreciate some of the measures undertaken by the Police with support from the UNDP towards enhancing security management during elections.



While emphasizing on importance of security for election personnel, citizens election material and property, Commissioner Sireh Jabang identified with the key elements of security during elections, being Election Personnel; Stakeholders; Activities and processes; Facilities and Materials; Communication Systems; Registration processes; Campaigns and ultimately election polling and transmission and declaration of results.

She highlighted the security measures implemented in the 2021 election cycle which included key among other initiatives; Recruitment of additional Police Officers(613); Series of Capacity Building programmes; Integration and Collaboration with all stakeholders; Reinforcement of Public Order Management in all seven regions; Acquisition of additional Vehicles to the Police Control Unit; Physical deployment of Police to the IEC infused with the Police Intervention Unit (PIU) to secure buildings; Enhancement of internal patrols in strategic place to give police visibility; Intelligence gathering; Provision of equitable security to all Candidates; Reactivation of Joint Operation Command; Incident response Mechanisms; and Empowered Communication.

Key Reflections:

- i. Opportunities for enhancing Security: Acquisition of Tactical Command Vehicles, Compliance Operations Vehicles, Adequate Ambulance Services, Adequate Communication Infrastructure (Radio Communication).***
- ii. Explore opportunities for injecting innovation and technology in security management.***
- iii. The need to dialogue around Post Election Security Management and develop mitigation plans/mechanisms to manage situations where results would not be accepted.***

3.5 Meeting with the Director General of Immigration

The visit to the Immigration Office was informed by the fact that immigration stands as a critical stakeholder in elections in the context of citizen identification for purposes of registration and voting. The PPRC expressed particular interest to learn about how the Department intends to embrace voting by Gambian Citizens residing in the Diaspora a process of which they indicated had been proposed under the Sierra Leone Elections Bill but later expunged for lack of sufficient justification.

The Gambian experience under the ECOWAS Community Protocol on democracy and good governance linked to mechanisms for crisis resolution and respect of rule of law through the inculcation of election players such as the Department of Immigration was noted as a conscious effort with hindsight that as the principle registrar of persons ,the department provides a foundation for electoral activities to be accepted by citizenry by the mere fact that ‘citizenry’ is at the hands of the Department .

Notably there is an expected need for collaboration with the IEC for purposes of ensuring citizenship of persons to be registered as voters. Political parties being the custodians of the electoral process, the position of IPC in steering this engagement was towards cohesive learning of all implementing agencies in the electoral process.

The Director General, Seedy. M. Touray acknowledged the proposals fronted by quarters of the society on Diaspora Voting while inviting further dialogue on the subject noting inherent risks in respect to registration of citizenship and laws governing citizenship.



In response to the Sierra Leone scenario where the National Civil Registration Authority is a different agency established purely for purposes of voter registration, it was appreciated that in the Gambia, IEC maintains full authority of the Register of Voters while the department shares the required data. He however further lay emphasis on the role of the Controller of Births whose mandate equally has a direct impact on elections in as far as sharing data on deceased voters.

Key Reflections:

- i. Need for public participation on Diaspora Voting vis-vie laws governing citizenship to influence proposals in the Elections Bill.***
- ii. Data sharing between election players and whether there is justification for data linkages.***
- iii. How the Department can enforce Diaspora Voting as custodian of database on legal residency and mechanisms to be adopted in managing border traffic during elections.***
- iv. Measures required curb proliferation of immigrants during the election period and enable only legitimate citizens to be holder of National IDs so as to alleviate aliens in the electoral process.***

3.6 Meeting with the IEC

The respectable network established between the IEC and the IPC towards ensuring peace before, during and after elections was at the center of this visit. The PPRC sought to understudy the relationship and borrow from relatable experiences and practices. Indeed, in the spirit of promoting dialogue the Mission deemed it fit to have the delegation meet the IEC to expand the gains made by the IPC in direct collaboration with the IEC being the body solely responsible for management and conduct of elections including registration and regulation of political parties.



Tracing the history to the establishment of the IPC, Hon. Sallah revisited the sentiments of the populace who felt at that time that if IEC was to earn the trust of the citizens, IPC would need to partner to nature this force.

The Chairperson of the PPRC, Mr. Bangurah noting the dual role of IEC in conducting elections and regulating political parties, sought to know the interface with IPC in diffusing political party tensions. This was appreciated as a partnership that is a process of growth and continues to be strengthened despite lack of enabling legislation empowering the IPC to mediate between political parties.

The Chief Electoral Officer, Mr. Samboujang, tracing the reform agenda on establishment of an independent IEC to a benchmark study on Sierra Leone attributed the success of the partnership between IPC and IEC to continued dialogue between IEC on IPC on the legislative principles laid

down by the IEC on what the character of political parties must reflect including the development of Codes of Conduct by Political Parties upon which the IEC may take action where there is a violation.

It was noted that whereas the regulation of political parties and conflict resolution between political parties in Sierra Leone was bestowed upon two different entities being the PPRC and Political Parties Liaison Committee (PPLC) respectively, the context in Gambia placed sole responsibility on the IEC and by this set up necessitates interventions by IPC who assist in mitigating disputes.

Key Reflections:

- i. The anticipated Action Plan by the IEC to expedite enactment of the Constitution and Amendment Bill and the Elections Bill into law.***
- ii. Elements of the IEC Election Law Reform Agenda; Voting by Gambian Citizens in the Diaspora; Introduction of Paper system of Voting; Bar of contestation through the review of Fees for candidates vying in elections; Enforcement of penalties against fraud on acquisition of supporter's signatures by candidates; Enforcement mechanisms for de-registration of political parties culpable of violation of electoral laws; Special Voting for essential services.***

3.7 Meeting with UNDP

The Strategic role of UNDP in establishment of the IPC and in assisting the IPC to promote peacebuilding in the election process through established peace mechanisms and sensitization programmes designed the purpose of this engagement and the intention of the delegation to learn how this partnership has helped sustain democracy in elections towards building free and fair election processes in The Gambia.

The UNDP's task to revitalize the IPC in 2016 ahead of His Excellency the Presidential Elections led to the development and execution of a Memorandum of Understanding and Code of Conduct which guide the operations of the IPC. As an entrenched partner the UNDP leadership played a central role in mediating and inculcating a convergence of views.



It was appreciated that irrespective of political affiliation, the agenda driven by the UNDP was to ensure that IPC's motto responds to propelling cohesiveness which was later achieved through education awareness programmes targeting all registered political parties.

Lauding the initiative taken by the Sierra Leone delegation, the UNDP Resident Representative Aissata De acknowledged the role of IPC as providing a space outside of parliament for dialogue that is not purely limited to competition so that political leaders are enabled to drive their agenda at the grassroots beyond elections.

Alluding to the context of elections in Africa, she pointed out the transformational reality where political parties in The Gambia are currently being embraced as actors for peace building. This she indicated sets the tone for UNDP support aimed at investing before, during and after elections as a development agenda. She challenged the IPC to take the gains made to higher level from a strategic transition process citing among others, electoral law reform initiatives, strategic security reforms and White Paper recommendations proffered by the country's Truth Reconciliation and Reparations Mission.



The support offered by UNDP in fostering democratic growth was appreciated as equally visible in Sierra Leone, where UNDP supports the political parties' multi-party forum where parties not represented in Parliament have a forum to ventilate on issues which are then brought to the attention of the State. In a similar fashion, a 'Dialogue Launch' funded by the UNDP but limited only to parties in parliament stood out as an initiative that can be adopted in The Gambia.

Key Reflections:

- i. Agenda for enhanced empowerment of all Special Interest Groups.***
- ii. The relevance of IPC as a tool for the International Community to gather information on state affairs and whether IPC as currently structured serves this purpose?***
- iii. Whether there is justification to institutionalize IPC.***
- iv. Creation of IPC oriented knowledge network***
- v. Challenge to IPC to inculcate development growth.***

3.8 Meeting with His Excellency the President of the Republic of the Gambia

The Gambia High Commissioner to Sierra Leone, Alieu Jammeh, and the UNDP Resident Representative, Ms. Aissata De accompanied the delegation to the State House where they were received by the Chief of Staff Mr. Baboucarr Ousman Joof before being ushered to meet His Excellency the President.



The High Commissioner while extending gratitude to His Excellency the President for affording time to meet with the delegation, congratulated him on his continued model of leadership in promoting attributes of peace and democracy acclaimed throughout the region. He then proceeded to introduce the IPC delegation while referring to the work done by the IPC in pushing the agenda of the Presidency towards a culture of peace in elections. He then proceeded to introduce the PPRC by providing an overview and purpose of their visit in recognition of their upcoming elections of 24th June 2023 and their need to learn and share experiences to inform peaceful management of the elections.

Hon. Sallah buttressed the importance of knowledge transfer and experience as a necessity that compelled the PPRC to come to The Gambia in wake of a crisis faced before and the desire to

engage in preventative processes. Alluding to the ECOWAS principles that the IPC embraces in their promotion of democracy and peacebuilding, he acknowledged the meeting as a convergence of nations building up an architecture of collective democracy and in a similar fashion, a visit designed to build on inter-party promotions. He affirmed the duty of IPC to play their role in maintaining peace grounded on IPC's fundamental principles, the key most being that political democracy is essential to peace and democracy and the recognition that a populist democracy would not be attainable without co-operation of the Executive and the legitimacy of the Opposition. In conclusion he confirmed that democracy remains a tool that the country expects to harness with time and that lessons learnt in The Gambia is what the IPC hopes to impart on the delegation while appreciating that the fact that His Excellency the President gave the delegation recognition and acceptance to meet alone validates this contribution.

The UNDP Resident Representative Aissata De extending greetings from the UN thanked His Excellency the President for his recognition of the importance of this engagement while acknowledging the partnership enjoyed between the UNDP and IPC and importance of the established platform to build on peaceful elections.



Noting that elections remain at the heart of democracy she cited the milestones achieved by the The Gambia in the ongoing election cycle, conclusion of the TRRC process among others that continue to showcase Gambia as a model. She challenged IPC to seek to grow into a regional network towards harnessing peaceful elections in the larger continent given the dynamics of the territory while thanking His Excellency the President for his support which she noted, brings the much-needed interconnection within the Region.

Concluding with the observation that empowerment of women participation in election remains a constant and equally important to the Presidency, Ms Aissata acknowledged the continuous engagement with IPC under the Youth and Women's League and thanked his excellency for his continuous support.

The Chairperson of the PPRC, Mr. Bangurah expressed the delegation's gratitude and privilege for the opportunity to meet with His Excellency the President. While providing an overview of the PPRC roles and responsibilities and the electoral system prevailing in Sierra Leone , he intimated the Mission's agenda in drawing lessons so as to cultivate a similar model in keeping political parties at peace in the image and outfit of IPC lauded as wearing a face of national outlook amidst the various political differences and admired for gaining respect and audience at the highest office in the country, the Presidency.

His Excellency the President of The Gambia, Adama Barrow welcomed the delegation... " *You are in safe hands-Gambia presents itself as the best practice*" ...as he expressed his happiness and honor noting that the selection of Gambia by the delegation says much.

Peace and Security, he urged, are essential to democracy and sustainability which he appreciated as a difficult to achieve but the best system if the country is to succeed. Acknowledging the critical role IPC played in The Gambia's transition, he singled out dialogue as a crucial platform in building relations and pointing out that by communicating and sharing experiences we help each other.

Reflecting on Gambia's achievements as an encouragement to consolidate democracy going forward, he cited the need for reliable and strong institutions and tolerant leaders as key in sustaining democracy. He noted that the responsibility of managing affairs of a democracy demands tolerance which includes embracing the 24th Century African direction to out rule

autocracy with the assurance that after 5-10 years presidency is renewed without which citizenry get restless.

Further reflecting on the provision of adequate security for campaigns , he singled out security as a primary ‘witness ‘ in the wake of instilling order while enlightening the delegation that by lifting the ban on recruitment of police officers, The Gambia recruited an additional 613 officers in the run up to the Elections which helped in maintaining a secure and peaceful environment contributing to an overwhelming voter turnout-89%, the highest in the continent.

As he concluded, he re-emphasized the importance of peace and security while giving examples of Ukraine and Somali as evidence that war destroys development. He urged for commitment by political parties regardless of affiliation for the sustenance of peace and again thanking the delegation for recognizing Gambia as an example to come and learn from he called on them to take away with them two principles-Tolerance and Provision of Adequate Security for Campaigns.

Key Reflections:

- i. Discourse on Presidential Term Limits as Africa’s agenda to dismantle autocracy.***
- ii. Importance of consistent security briefs to maintain peace and order in developing democracies.***

3.9 Meeting with the Chief of Defense Staff

The Chief of Defence Staff of Gambia Armed Forces, Yankuba Drammeh, while acknowledging the bond shared by the two countries, welcomed the delegation with assurance that he considered the meeting one of great importance having halted all other priorities to receive the delegation.

Hon. Sallah on behalf of the IPC in turn appreciated the humility of the Office to accommodate the delegation and in reference to the roles and responsibilities of the IPC provided a background on why the delegation deemed it fit to meet with the Chief of Defense recognizing the position of the army in the context of elections and appreciating that the army is not entirely outside the confines of elections. Underpinning the need to engage in preventative strategies to enable parties contest under a climate of peace, he recognized peace as the domain of this office as without an

army that does not advocate for peace, it would not exist nationally also acknowledging that a state of disorder equally creates a problem for security forces.

The Chairman of the PPRC, Mr Bangurah acknowledging the respect IPC has won from the military as evidenced from the warm welcome proceeded to introduce his delegation and provide an overview of the work and mandate of the Commission. He equally noted the complimentary role of military in elections citing the 'Military Aid to Civil Power' (MACPE) invoked in Sierra Leone when police need assistance in quelling situations during elections.



The Chief of Defense noting the avenues for aid to civil authority clarified that indeed as in Sierra Leone, when necessary, in The Gambia and upon the request of civil authority where a situation is untenable and overwhelms the police, the army intervenes to support but in the context of elections, they remain subordinate to civil authority. Prior to elections advance planning on security is undertaken before, after and during elections which requires visualization of possible scenarios and likely responses and who takes the lead and how to legitimize any action taken.

He further enlightened the delegation on the role of the army in development and enhancing civil engagement and cooperation through engagement in productive activities in various sectors of the public service where army personnel through their professional skills give back to the society either in health, education, engineering and more recently agriculture. The Military, he stated, works best if they win the hearts of the civilians.

Citing the cardinal principles of his leadership he affirmed that the army is not allowed to participate in politics often restricting themselves purely to state functions during an election and that his vision is to have a trained versatile military; lead a military with actions and behaviors consistent with international best practices and to have the military perform its constitutional roles to the satisfaction of Gambians.

Lauding the initiative taken by the delegation to benchmark he praised the engagement likened to the model adopted by the army through constructive engagement with leaders and communities at all levels towards collectively working towards maintenance of peace and order.

In conclusion he affirmed the armed forces commitment to their constitutional mandate which denotes their strength and as such their purpose to avoid interservice rivalry but find mechanisms to work together towards maintenance of peace and security by extending hands of fellowship and exploring possible areas of co-operation.

Key Reflections:

- i. Importance of drawing lessons from experience with the recognition that nobody has monopoly of knowledge.***
- ii. Peace and Security is a prerequisite to development.***
- iii. Understanding the place of the Army in elections as the last line of political unity.***
- iv. To maintain the sanctity and purity of the country all institutions must hold their responsibilities above all other interests.***

3.10 Meeting with the Chief Justice

The PPRC expressed their gratitude noting the Office of the Chief Justice as key in electoral process value chain. Reflecting on Sierra Leones milestone in recently reviewing their Election Petition Rules, the Chairperson of the Commission embraced this as an opportunity to gain experience more on how election petitions are managed in the Gambia and also in the context of PPRC’s mandate in mediation and reconciliation on any disputes or complaints lodged before it.

In consonance, Hon Sallah identified with the commonality in election dispute resolution and the ultimate rule on respect for electoral outcomes and acceptance of the decisions of the court as finality of the electoral contest where there is a disagreement. He stated that questions as to the validity of an election are as good as how well the disputes are handled, and as such the election petition system becomes a necessary tool in the electoral process.

His Lordship, the Chief Justice of the Gambia Hassan B Jallow on receiving the delegation acknowledged that elections being emotive demands dialogue in a manner that diffuses political and legal issues and that the law provides the necessary interface with the judiciary in the electoral process especially when handling disputes ranging from voter registration complaints to election petitions. Also related is the impact that judicial decisions have on existing or proposed legislation.



Judiciary intervention, he stated, begins not only at voter registration but also includes jurisdiction over decisions of the IEC but in so doing it is limited to scrutinizing the procedures undertaken in arriving at those decisions and the court may then invalidate an action that is incompatible with the constitutional principles, unlawful or violating the terms of a constitution.

His Lordship further affirmed that elections are rarely free of disputes, but that dialogue must always find place and where election petitions are filed, proper case management that includes pre-trial conferences for parties to agree on timelines for service, securities, responses become crucial. Referring to the structure of the PPRC, he observed that there is a utility in having regulated bodies and this is demanded of some institutions but also there is merit of having unregulated bodies to promote dialogue, due process, and peace.

Key Reflections:

- i. Legitimacy of a government is ruling in accordance with the Constitution.***
- ii. Electoral Law Review initiatives by the Judiciary; Establishment of a special court to try election Offences; Review of jurisdiction of the Supreme court to hear municipal election petitions and have the same managed at lower courts; Timelines for hearing and determination of election petitions vis-vie expeditious dispute resolution.***

3.11 Meeting with Stakeholders to the Electoral Process (CSO, GPU, CPD, NERG, WANEP, NCCE)

The Delegation concluded their mission with a grand meeting of all Stakeholders supported by the UNDP Gambia at the Paradise Suites Hotel, Kololoi. The UNDP Resident Representative, the Vice Chairperson of the IEC, the Chairperson of National Elections Response Group (NERG), the Chairperson of the CSO Coalition on Elections and the Country Network Coordinator of West African Network for Peace Building (WANEP) gave their statements at the opening of the workshop which was officially opened by Hon. Sallah.

The Secretary to the IPC, Mr. Jabii welcomed participants while introducing IPC as a formation of political parties coming together under one agenda through the execution of a Memorandum of Understanding and ascribing to a binding Code of Conduct. He then proceeded to highlight the purpose of the Mission visit before calling upon the key speakers to give their statements:

Aissata De-UNDP Resident Representative:

Aissata De welcomed participants noting that the meeting holds great value to the UNDP as one more milestone in the journey towards sustainable democracy in The Gambia and the wider region hence UNDPs support to this mission with appreciation of the vital role that the PPRC plays in elections in Sierra Leone and their need to gather knowledge and tap on Gambia’s experience to inform Sierra Leones’ preparation for their upcoming National Elections of 24th June 2023.

Acknowledging elections as being at the heart of democracy she reflected on the partnership that UNDP and IPC have enjoyed in cultivating a culture of peace and tolerance in the management of elections in The Gambia, something The Gambia should be proud of, and at every opportunity, help to sustain across the region. It is in the spirit of building sustainable democracy in elections, she stated, that UNDP recognized the strategic role the IPC plays in promoting peace and dialogue which model is an important tool in providing a common space for all other development goals beyond.

She urged participants to continue to walk the journey towards democracy while appreciating that peace and security remain essential to democracy and for UNDP, collegiate partnerships such as those fostered with the IPC it is crucial to identify and define mechanisms to enable the Country to jointly promote the building of a region with a shared vision towards open, inclusive spaces, lasting peace, universal security, and common prosperity.

She concluded her remarks by reiterating the position that The Gambia is now seen as an active model for peacebuilding and transformation in the context of elections in Africa, a space that Gambia should not want to lose.

Dr. Tomy David-National Elections Response Group:

Dr.Tomy ,while recalling similar study tours undertaken in Sierra Leone,welcomed the PPRC while intimating Gambias’ delight to be considered a case study. He introduced NERG as a broad based umbrella group composed of Human Rights Organisations,CSOs, Faith Based Organisations, Religious Councils a the highest level including the IEC that

monitors and fosters unity in elections through continuous dialogue with stakeholders in the electoral process, a mechanism he likened to the IPC model with political parties.

All activities by the NERG, he stated, are supported by a number of development partners, UNDP, ECOWAS, EU which activities involve dialogue, sensitization and training workshops all throughout the election period. He further highlighted efforts made towards establishment of a 'Situation Room' in the past elections from which they have been able to observe events all around the elections and engage IEC to address emerging concerns.

He emphasized on the importance of Codes of conduct for purposes of ensuring adherence to rule of law in the fashion of that ascribed to by the IPC and individual political parties acknowledging the existence of various Codes of Conduct that are ascribed to by various players in the electoral process.

In welcoming the PPRC he concluded by lauding the initiative and encouraging platforms of exchange of ideas and knowledge as an expression of truth and democracy.

Joseph Colley-Vice Chairperson IEC

Mr. Joseph Colley welcomed the delegation while reflecting on the relations IPC and IEC have enjoyed since its establishment. He traced back the journey towards fostering IPCs agenda.

He retraced history appraising members on how the forum was organized to provide political leaders in The Gambia with a platform they could use to commit to the highest standards of electioneering in The Gambia, with a special emphasis on the need to avoid incendiary language and hate speech before, during and after election. Noting the role IEC plays in regulating political parties, he acknowledged the partnership with IPC and the resolve to operate within the dictates of the Constitution and Electoral Laws.

In conclusion he invited the PPRC to draw lessons on the cordial relationship between IPC and IEC against the vital roles each plays in the electoral space.

Hannah Foster-Chairperson CSO Coalition

Hannah Foster while in a similar fashion welcoming the delegation and acknowledging the work of the IPC, traced the history of the CSO coalition with its establishment in 2006 bestowed with the responsibility to ensure that democracy enjoys space in elections. She highlighted some achievements of the coalition in monitoring elections and inculcating peaceful conduct of elections.

Recognizing the collective effort of all partners including the IEC, she spoke to a strategy document developed with support of UNDP towards training and observation and called upon the IPC to engage to promote women's development.

Salama Njie-Country Network Co-ordinator WANEB

Salam Njie expressed her delight in welcoming the delegation while referring to the cordial relationship that WANEB enjoys with the IPC having been the pioneers in assisting IPC to establish their regional structures.

She provided an overview of WANEB's mandate and the occasional collaboration with the NERG at regional level to promote peace, governance and in particular, promotion of women participation and security.

On more recent activities she highlighted the efforts of WANEB in coordinating peace infrastructure following the TRRC recommendations through establishment of early warning systems with the support of ECOWAS and UNDP and training of the IPC on alternative dispute resolution and empowerment of women.

Councillors Fatujalo, Co-Chairperson of the IPC Women Network and Councillor Balamjiba of the IPC Youth Branch had opportunity to speak on behalf of women and youth respectively before the workshop was officially opened by Ho.Sallah. Both thanked IPC for providing a platform for the women and youth to find a space to participate in politics. Councillor Fatujalo provided an overview on the Women's Wing Agenda in interacting with various organizations right to the grassroots level to garner support in achieving and improving women's participation in politics.

Hon. Halifa Sallah -Former Co-Chairperson of the IPC:

...“When necessity and urgencies compel the PPRC to enter dialogue with IPC, we must all know we are dealing with a very serious matter..... Africa is rising, we must help them to rise!”

Hon. Sallah observed that PPRC should be embraced as not just being here to learn from Gambia but to inspire Gambia while alluding to the war in Sierra Leone and later the Gambia crisis, situations that both countries have arisen above with that of Gambia prevented from reaching its logical conclusion of a disgruntled society.

He appreciated the strategic position IPC has placed itself to be able to assist Sierra Leone urging that as partners in the electoral process, we must all be prepared to move forward while posing the question as to whether democracy is synonymous to development to which he answered in the affirmative with the observation that it is a tool that enables us to select the best leaders to channel democracy.

Challenging the PPRC to look at what the IPC conceives as a paradigm shift in methods applicable in regulating elections, he stated that as a statutory body, the PPRC implements what is prescribed by law, but that jurisprudence also dictates that the law maker is chosen by the people and ultimately it becomes the purpose of the law to propagate what is helpful to society.

He invited the perspective of statutory bodies working with self-regulatory bodies to take the educative method approach while considering the diverse political situations while embracing the importance of knowledge and experience in shaping our destiny.

Reflection on the history of the IPC, he indicated that the MOU and the Code of Conduct were birthed because of a crisis following the 1994 coup-de-at where all political parties were banned, the Constitution revoked and later some sections suspended with those applied being by way of decree. With this the democratic forces worked actively by looking into past electoral laws, a process that has seen the IPC binding documents mirroring democratic aspects of the election decrees introduced as a result of the unfolding crisis. He affirmed the IPC Code of Conduct as exhaustive to the spirit and letter

of law and as such the importance of IPC to IEC which similarly demands that all political parties ascribe to a code of conduct.

In conclusion, he invited the PPRC to draw relevant knowledge from policy directives of IPC; preparation and adoption of instruments operationalizing IPC; programmatic policy documents of the IPC; institutional structures of the IPC and activism around the IPC in the form of trainings and awareness.

Hon. Sallah officially declared the workshop open and invited the Chairperson of the PPRC, Mr. Bangurah to engage with the audience:

Mr. Bangurah proceed to educate participants on the mandate of the PPRC established under Sections 34 and 35 of the Sierra Leone Constitution and operationalized through the enactment of a Political Parties Act.

He proceeded to provide an overview of the roles and responsibilities of the PPRC and the reporting obligations of all political parties. Participants were appraised on the methods by which the PPRC, which is equally mandated to manage disputes between political parties in comparison to the IPC, diffuses tensions but using dialogue fashioned in the manner adopted by IPC. Also mentioned were alternative dialogue forms present in Sierra Leone through an established Political Parties Liaison Committee, The Dialogue Launch, and the Multiparty Forum Platform(op.cit)

He concluded by acknowledging the network IPC has built itself and recognizing the confidence and respect that the IPC has been able to cultivate from the Government, Institutions, Agencies, and development partners.

The current Co-Chair of the IPC, Mr. Samba Baldeh closed the Meeting appreciating all participants for making time and, recognized the wealth of experience and expertise enjoyed during the mission from Hon. Sallah. He thanked UNDP for their consistent support to the IPC, the Gambian Ambassador in Sierra Leone for promoting this agenda, the IEC with whom they have journeyed side by side, NERG and WANEB who have largely driven the IPC programmes and finally the PPRC Chair and his delegation for the trust and confidence in choosing the Gambia for their study.

Key Reflections:

- i. Measures that require to be undertaken to ensure that women have a place in decision making organs of political parties.***
- ii. Support required towards decentralization of Women Leagues and Branches within political parties in all regions.***
- iii. Efforts towards implementation of TRCC Recommendations.***



4. RECOMMENDATIONS AND WAY FORWARD

Cross-cutting issues revolved around all the discussions and engagements. These emerge as key recommendations, as The Gambia maps the way forward towards consolidating democracy:

1. The Gambia's Legal Reform Agenda:

- i. **Voting by prisoners:** The principal argument in favour of enfranchisement is that it recognizes that prisoners remain citizens while incarcerated and marks their inclusion in society. Whereas strides have been made by some African Countries, Gambia is among the many African Countries that is yet to grant this right to prisoners. It is acknowledged that the law will have to prepare the ground if this is to be realized to address the many challenges that have been voiced, notable among them being that prisoners remain excluded from participation in government elections-
 - Prisons are not places of normal residence, where do you place the interests of the prisoner where the prison is not situated in his/her area of residence. Also noting the rotational transfer of prisoners. How do they relate with the socio-economic and political issues of any given area?
 - Should they be able to vote in local government elections, this can have a disproportionate impact on the results, especially if it is a large prison.
 - Logistics, Administrative and Financial requirements that would be visited upon the Electoral Commission.
- ii. **Voting by citizens in the Diaspora:** The Gambian government recognizes the important role played by Gambian citizens living outside the country in the social economic development of the nation. Remittance by Gambians living abroad accounts for a large per cent of the GDP demonstrating the strong link between Gambian citizens residing outside the country and their homeland. In appreciating their contribution, legislators have been exploring the possibility to confer upon every citizen living outside the

Gambia political rights including the right to participate in the electoral process. This will require further dialogue to address some of the possible limitations and challenges that are likely to be encountered-

- Data on Citizens Residing outside the Gambia and the realization that not all citizens register with The Gambia Missions abroad making it difficult to ascertain the actual number and distribution of their population across the globe for planning purposes.
- Time Zones as against the voting time is defined in the Election laws which differences may cause logistical and administrative challenges.
- Need for extensive negotiations for effective coordination with Host Countries with hindsight that there are no consistent policies, practices, or standards to guide host governments on foreign electoral activities being conducted in their territories.
- The associated costs of out of country, clearly more expensive compared to in-country voting.
- Operational Challenges in the distribution of materials, training of staff and transmission of results.
- Method of voting to be adopted in the context of The Gambia's Marble System of Voting.

2. **Change of Electoral System of Voting:** The number of growing candidates in elections and the logistical nightmare attached thereof including the heightened discourse on voting by Citizens in the Diaspora has given rise to this dialogue with the IEC indicating the need for a paradigm shift and embracing paper voting system. IEC reveals that the over two million dalasi is spent on each candidate's ballot drums in the as witnessed in the last presidential and National Assembly elections and ballot papers would be more accurate, cheaper, and easy to use.

With growing arguments as to “Why Fix What Is Not Broken” this calls for more dialogue and appreciation of the issues raised and may ultimately require legislative review given that the current system is governed by law.

3. Promotion of representation of Women, Youth and Persons With Disabilities:

Democratic governance demands that to some extent political representation should mirror the population from which it is drawn which includes men, women, the youth, Persons with Disabilities (PWDs), ethnic and other minorities and marginalized communities. In The Gambia this ideal remains an enigma both in appointive and elective positions. Cognizant of this, there is an emerging need to deliberately seek to bridge this gap.

Deficiencies have been noted in the various frameworks, for example, in the Constitution, Elections Act and Political Party Policies. Recommendations would include-

- Amendment of the Constitution, the Elections Act, the Independent Electoral Commission Act, and the Local Governments Acts.
- Review of Political Party Policies and laws to ensure that Political parties have statutory guidance on minimum requirements to ensure inclusion of women, youth, and persons with disabilities.
- All the political parties to ensure all their governing bodies have a representative of women, youth, and persons with disabilities.
- Building the capacity of women, youth and persons with disabilities and the public to ensure increased awareness and understanding of the role of special interest groups’ representatives in governance.
- Implementation of Government Agenda on Affirmative Action Policies.