



PRELIMINARY DECLARATION

I- INTRODUCTION

- 1- In furtherance of the Electoral Assistance mandate of the Economic Community of West African States (ECOWAS) Commission, as contained in the ECOWAS Supplementary Protocol on Democracy and Good Governance (2001), and in continuation of its support to the democratic process in The Gambia, the President of the Commission, **H.E. Marcel A. de Souza**, deployed a Twenty-member Election Observation Mission (EOM) to observe the 6 April 2017 legislative elections in the Republic of The Gambia.
- 2- The ECOWAS Observation Team, was led by **Dr. Kwadwo Afari-Gyan**, former Chairman of the Electoral Commission of Ghana, and included Civil Society experts and trained election observers from ECOWAS Member States. The team was supported by a technical team from the ECOWAS Commission, which included the ECOWAS Commissioner for Political Affairs, Peace, and Security, the Special Representative of the ECOWAS President to The Gambia, the Director of Political Affairs, and the Head of the Electoral Assistance Division.

II- BACKGROUND TO THE LEGISLATIVE ELECTIONS

- 3- The amended Electoral Act of the Republic of The Gambia (2016) provides for a fifty-eight-member National Assembly. Of this number, the President has the prerogative to appoint five members, while the fifty-three others are elected from the constituencies demarcated by the Boundaries Commission. The members of the National Assembly are elected for a five-year mandate. The Constitution also provides for elections into the National Assembly to hold four months after the date of the Presidential election.
- 4- Candidates for the April 2017 legislative elections were fielded by the Alliance for Patriotic Reorientation and Construction (APRC), the former ruling party; the ruling coalition, composed of the United Democratic Party (UDP), the People's Democratic Organisation for Independence and Socialism (PDOIS), the People's Progressive Party (PPP), the National Reconciliation Party (NRP), the Gambia People's Democratic Party (GPDP), the National Convention Party (NCP), all of which fielded candidates on their individual platforms; the Gambia Democratic Congress (GDC); as well as some independent candidates.

- 5- Against this backdrop, and in line with the provisions of the ECOWAS Supplementary Protocol on Democracy and Good Governance; the African Charter on Democracy and Governance; the International Declaration on the Principles of Election Observation and the Elections Act of the Republic of The Gambia, the ECOWAS EOM's main objective was to support the process for a credible and peaceful elections in The Gambia.

III- ARRIVAL, CONSULTATIONS WITH STAKEHOLDERS AND DEPLOYMENT

- 6- Prior to the arrival of the ECOWAS Observation Mission, a Needs Assessment/Fact-finding Mission, led by Dr. Afari-Gyan, was deployed to The Gambia, from 20 to 24 February 2017, to identify technical support needs as well as ascertain the level of preparedness for the legislative elections.
- 7- In line with the recommendation of that mission, the Election Observation Mission arrived in Banjul on 1 April 2017. On 3 April 2017, the ECOWAS Observers attended a briefing organised by the Independent Electoral Commission (IEC) for local and international observers to acquaint them with the election processes.
- 8- Upon arrival in Banjul, the Head of the ECOWAS Observation Mission was briefed about the state of preparedness for the elections and efforts made by the electoral authorities and security agencies to ensure smooth conduct of the elections. On 4 April, Dr. Afari-Gyan addressed a press conference in which he appealed to all political stakeholders to ensure that the 6 April Legislative elections are held in an atmosphere of peace and tranquillity so as to consolidate the gains of democracy in The Gambia and the wider West African region.
- 9- Following an internal briefing session, the ECOWAS Observers were deployed to two of the six Administrative regions in the country: Greater Banjul and the Western region.
- 10- On the eve of the polls, the Head of the ECOWAS Observation Mission received members of the coordination teams of the African Union (AU) and European Union (EU) to exchange views on the electoral processes. On 7 April, the Heads of Missions of the International Observer groups met again to compare assessments of the conduct of the polls.

IV- OBSERVATION OF THE ELECTIONS

Opening, conduct of the election and vote counting

- 11- After careful analysis of the information received from the observers deployed in the field, the Mission has noted:
- The early arrival of polling officials at polling stations, which enabled voting to commence within the stipulated time of 8 a.m. in most of the polling centers visited;
 - The presence, in sufficient quantities, of electoral materials throughout polling stations across the country;
 - The visible presence of security agents (two police personnel per polling station);

- The smooth and professional conduct of the polling officials, who demonstrated adequate mastery of their duties;
- There was adequate representation of women among the polling officials and party agents;
- The presence of agents of political parties and independent candidates;
- The use of indelible ink to indicate that voters had cast their ballot;
- All voters were required to present a voter's card in order to vote;
- The elderly, nursing mothers, and voters with special needs were given priority and afforded the necessary assistance to cast their ballots;
- The polling stations were set up to ensure ballot secrecy;
- The presence of other International observer groups, including: the AU, the EU, Humanitarian Dialogue (HD), the United States embassy; and some local observers, namely the Civil Society Organizations Coalition and the Peace Ambassadors of Gambia.

12- In the polling units visited, polls closed at the stipulated time of 5 p.m. The vote counting and tallying processes were carried out in a transparent and professional manner, in full view of party agents, observers, and security agents. More importantly, the cooperation between the electoral officials and party agents was impressive.

13- Despite the smooth conduct of the exercise, the Mission however observed a relatively lower turnout of voters compared to the 1 December 2016 Presidential elections.

V-PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS

14- The Mission notes with satisfaction and commends the high degree of professionalism and sense of patriotic duty exhibited by the Independent Electoral Commission and its agents, the Police Service, and political parties/candidates, all through the voting, counting, and results collation processes. The conduct of the 6 April 2017 Legislative election has demonstrated the commitment of The Gambian people to a functional democracy.

15- The Mission calls on the newly elected lawmakers to see their election as a unique opportunity and a call to national service for the wellbeing of all Gambians and the progress and development of the new Gambia. They should also exercise magnanimity in victory.

16- The Mission appeals to the unsuccessful candidates to accept the outcome of the polls as the will of their constituents and in the event of genuine grievances, to resort exclusively to legal means to seek redress.

VIII. RECOMMENDATIONS

17- In light of the low voter turnout observed in the field, the ECOWAS EOM recommends that ahead of future elections, the IEC and political parties should put more efforts to educate and sensitize the citizens on the importance of active participation in all national elections.

18- Furthermore, it may be expedient in the future to consider holding both legislative and presidential elections on the same day in order to minimize the cost of organizing elections and addressing the issue of low voter turnout.

- 19-** Finally, the ECOWAS Mission expresses gratitude to the people of The Gambia and the various stakeholders involved in the organization of elections for the security and logistics measures put in place to facilitate the deployment of observers, which enabled them to effectively accomplish their mission.

Done in Banjul, 7 April 2017

The Head of Mission