EXPLANATORY NOTE

This is the Report of the Commonwealth Observer Group which was present for the Presidential Election in The Gambia, held on 22 September 2006.

The Group's report is reproduced here in the form in which it was signed by the Observers prior to their departure from Banjul on 29 September 2006. It was transmitted to the Commonwealth Secretary-General on Monday 9 October 2006. It was then sent to the President of The Gambia, the Chairman of the Independent Electoral Commission, the main political parties and Commonwealth governments. It was placed on this web-site and released to the media on Friday 20 October 2006. Printed copies are available from:

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THE GAMBIA PRESIDENTIAL ELECTION

22 September 2006

Commonwealth Secretariat

The Gambia Presidential Election 22 September 2006

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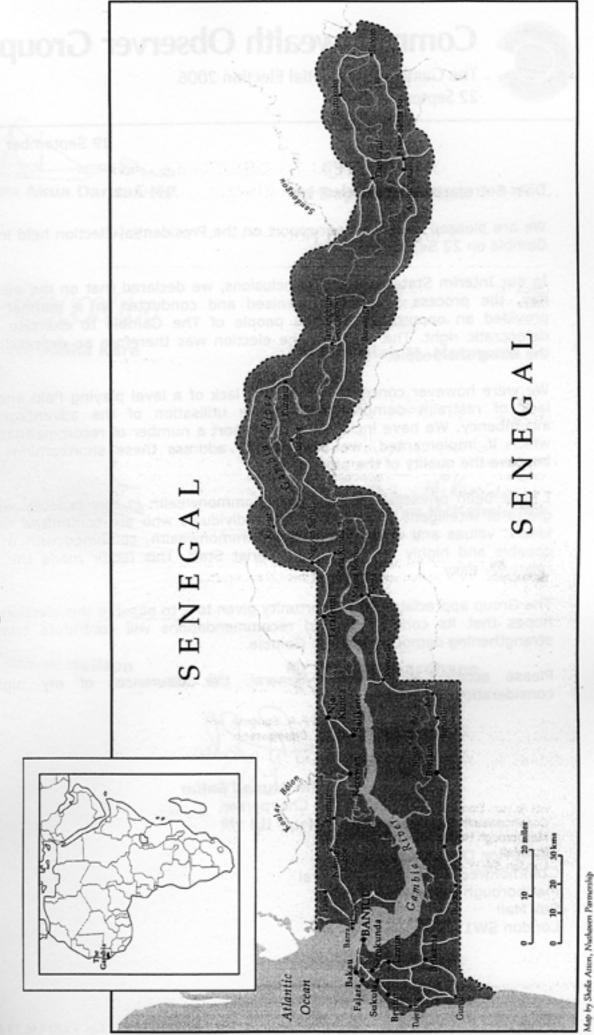
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29 September 2006

Dear Secretary-General,

We are pleased to submit our report on the Presidential Election held in The Gambia on 22 September 2006.

In our Interim Statement and Conclusions, we declared that on the election day, the process was well organised and conducted in a manner that provided an opportunity for the people of The Gambia to exercise their democratic right. The result of the election was therefore an expression of the will of the people.

We were however concerned about the lack of a level playing field and the lack of restraint demonstrated in the utilisation of the advantages of incumbency. We have included in our report a number of recommendations, which if implemented, we believe, will address these shortcomings and improve the quality of the process.

I have been privileged to serve the Commonwealth in this capacity with a group of intelligent and hardworking individuals who are committed to the ideals, values and objectives of the Commonwealth, combined with a very capable and highly dedicated Secretariat Staff. This factor made the task relatively easy.

The Group appreciates the opportunity given to it to observe this election and hopes that its conclusions and recommendations will contribute towards strengthening democracy in The Gambia.

Please accept, Mr Secretary-General, the assurances of my highest consideration.

Salim Ahmed Salim

Chairperson

HE Rt Hon Don McKinnon Commonwealth Secretary-General Marlborough House Pall Mall London SW1Y 5HX Hon Akua Dansua MP

Ms Daphne de Klerk

Mrs Priscilla Kare

Mr Jeremiah M. Matagaro

Ms Hajra Mungula

Hon Dr Eastlyn McKenzie MP

Ms Marie Neilson

Mr P.M. Siriwardhane

Mr Eli Turk

Chapter One

INTRODUCTION

INVITATION AND ASSESSMENT MISSION

The Chairman of the Independent Electoral Commission (IEC), Alhagie Mustapha Carayol, wrote to the Commonwealth Secretary-General, Rt Hon Don McKinnon, on 10 August 2006 inviting him to send Observers for the 2006 Presidential Election (see Annex One). In line with Commonwealth practice the Secretary-General sent an Assessment Mission to The Gambia from 17 to 24 August 2006. The Mission's mandate was to establish whether there was broad support for the presence of Commonwealth Observers during the election period and whether the Observers would have full access to all aspects of the electoral process (e.g. polling stations and counting centres), as required by the *Guidelines* adopted by Commonwealth Heads of Government in 1991.

The Mission met with the IEC, representatives of the main political parties, non-governmental organisations and others. The Assessment Mission subsequently concluded that there was broad support for the presence of a Commonwealth Observer Group and that the necessary guarantees had been obtained.

The Secretary-General then decided to constitute an Observer Group (the Group) and on 30 August 2006 wrote to the Chairman of the IEC, informing him of his decision (see *Annex Two*). The Group consisted of ten eminent observers, led by Dr Salim Ahmed Salim, former Prime Minister of the United Republic of Tanzania and former Secretary-General of the Organisation of African Unity. The Group was supported by five Commonwealth Secretariat staff, led by Professor Ade Adefuye, Special Adviser and Head of the Africa Section in the Political Affairs Division. The composition of the Group is set out in *Annex Three*. A Press Release was issued simultaneously in London and Banjul on Monday 11 September 2006 (see *Annex Four*).

The Group was preceded from 1 to 14 September by an Advance Group of two - Ms Daphne de Klerk, former Co-ordinator of the Non-Governmental Organisations Forum (NANGOF) in Namibia and Ms Hajra Mungula, Steering Committee Member of the Tanzania Youth Coalition (TYC). They travelled widely, observing the preparations for the election, media coverage and the campaign, in order to obtain an impression of the electoral environment ahead of the arrival of the main Group and to represent an early presence on the ground for the Group. After the arrival of the full Group, on Friday 15 September 2006 the Advance Group briefed it on their impressions of the process.

TERMS OF REFERENCE

The Terms of Reference of the Group, as set out by the Secretary-General in his formal letter of invitation to the members of the Group, were as follows:

"The Group is established by the Commonwealth Secretary-General at the request of the Independent Electoral Commission (IEC) of The Gambia. It is to observe relevant aspects of the organisation and conduct of the Presidential Election scheduled to take place on 22 September 2006, in accordance with the laws of The Gambia. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgement whether the conditions exist for a free expression of will by the electors and if the results of the elections reflect the will of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of The Gambia, the Independent Electoral Commission, the leadership of the political parties taking part in the election and thereafter to all Commonwealth Governments."

The Secretary-General invited the members of the Group in their individual capacities. He also made it clear to the Group, the IEC, the Government of The Gambia and the media that, within the above Terms of Reference the Group would form an independent judgement and that the views they expressed regarding the elections would be their own and not those either of their respective Governments or of the Commonwealth Secretariat.

ACTIVITIES OF THE GROUP

The majority of the members of the Group arrived in The Gambia on Thursday 14 September. On Friday 15 September the Advance Observers briefed the Group. This was followed by a full day of briefings by the Deputy Inspector-General of Police, domestic observers and civil society organisations. The Chairperson of the Group, Dr Salim Ahmed Salim, arrived on Sunday 17 September. On the same day the Group was briefed by Mr Kawsu Ceesay, Chief Electoral Officer at the IEC, and also met with representatives of media organisations. The Group held a press conference at The Kairaba Hotel, Kololi, on Monday 18 September 2006, during which the Chairperson issued an Arrival Statement (see *Annex Five*). This was followed by discussions with political parties, international observers, High Commissioners, Ambassadors, the UNDP and DFID (see *Annex Six*).

On Tuesday 19 September the Group attended a briefing for all observers by the IEC at the Kairaba Hotel¹. On Wednesday 20 September the Group deployed across the country in seven two-person teams to Banjul (two teams), Brikama, Basse Santa Su, Farafenni, Janjanbureh and Kanilai (see *Annex Seven*). Prior to Election Day, the Chairperson visited Brikama in order to get a sense of the pre-election atmosphere and preparations by the IEC outside the capital. The

¹ At this briefing, the Group was informed that there were 253 accredited observers for the election, 116 of them domestic and 137 international observers.

Chairperson received regular updates from the teams deployed outside Banjul and took part in the election observation. On the day after the election he issued an interim statement (see *Annex Eight*), which summarised the initial impressions of the Group on the process. The members of the Group returned to Banjul from deployment on Saturday 23 September and began to prepare their final report for the Commonwealth Secretary-General. The report was finalised on Thursday 28 September, prior to the Group's departure on Friday 29 September.

Chapter Two

POLITICAL BACKGROUND

INTRODUCTION

The Republic of The Gambia lies on the western coast of tropical Africa, occupying an area of 11,295 sq km, making it one of the smallest countries in Africa, and is a semi-enclave in Senegal. From north to south The Gambia extends for a maximum of 48km, though the coastline, with its bays and promontories, is 80km in length. Moving inland from west to east, the country roughly follows the route of the River Gambia inland for 480km.

The capital city is Banjul, with a population of 34,828 excluding suburbs (2003 census provisional), but is exceeded in size by both Brikama (42,480 inhabitants in 2003) and Serrekunda (151,450 inhabitants in 1993). According to UN estimates in 2004 the total population of The Gambia was 1,462,000, with a density of 129.4 inhabitants per sq km. Along with the capital, the country is divided into seven administrative areas.

A wide variety of ethnic groups live in The Gambia with a minimum of intertribal friction, each preserving its own language and traditions. The Mandinka people form the largest group, followed by the Fula, Wolof, Jola, and Serahule. Approximately 3,500 non-Africans live in The Gambia, including Europeans and families of Lebanese origin. Muslims constitute over 95% of the population. Christians of different denominations account for most of the remainder. Gambians officially observe the holidays of both religions and practice religious tolerance. More than 63% of Gambians live in rural villages (1993 census), although more and more young people come to the capital in search of work and education.

The legal system is based on English common law, with some aspects of Islamic Sharia law and traditional law, and the 1997 Constitution.

The National Assembly, established on 1 February 2002, consists of 53 members, 48 elected by universal suffrage, and five nominated by the president. All serve a five-year term. The next elections are due in January 2007 (Parliamentary). Local municipal elections are expected in January 2008.

The economy of The Gambia has no commercially exploitable mineral resources to depend on, although deposits of petroleum have been identified. According to the Economist Intelligence Unit in 2002 The Gambia had a growth rate of 3 per cent, with a GDP of US \$360 million. The per capita income in 2002 was US \$330, one of the lowest in the world.

EARLY HISTORY

The Gambia was once part of the Empire of Ghana and the Kingdom of the Songhai. In the 9th century AD Arab traders established the trans-Saharan trade route for slaves, gold, and ivory, which was taken over in the 15th century by the

Portuguese. At that time, The Gambia was part of the Kingdom of Mali. In 1588 exclusive trade rights on The Gambia River were sold to English merchants.

During the late 17th century, and throughout the 18th, England and France struggled continuously for political and commercial supremacy in the regions of the Senegal and Gambia Rivers. The 1783 Treaty of Versailles gave Great Britain possession of The Gambia and it was used as a shipment point for the Atlantic slave trade - as many as 3 million slaves may have been taken from the region during the three centuries that the transatlantic slave trade operated.

An 1889 agreement with France established the present boundaries, and The Gambia became a British Crown Colony, divided for administrative purposes into the colony (city of Banjul and the surrounding area) and the protectorate (remainder of the territory). The Gambia received its own executive and legislative councils in 1901 and gradually progressed toward self-government. A 1906 ordinance abolished slavery.

After World War II, the pace of constitutional reform quickened. Following the extension of the franchise to all adults after 1960 two political parties came to the fore: the United Party (UP – later to become the United Democratic Party, UDP), which attracted support from urban coastal areas, and the rurally based Protectorate People's Party (PPP, subsequently the People's Progressive Party), led by Dr (later Sir) Dawda Jawara. Following a General Election in 1962, in which the PPP emerged as the dominant party, full internal self-government was granted in 1963.

The Gambia achieved independence on 18 February 1965, as a constitutional monarchy within the Commonwealth. Shortly thereafter the government proposed conversion from a monarchy to a republic, with an elected President replacing the British monarch as Head of State. The proposal failed to receive the two-thirds majority required to amend the Constitution, but the results won widespread attention abroad as testimony to The Gambia's observance of secret balloting, honest elections, and civil rights and liberties. On 24 April 1970 The Gambia became a republic, following a referendum.

PRESIDENT DAWDA JAWARA AND THE PPP (1965–1994)

From independence in 1965 until the military coup d'etat in July 1994 Sir Dawda Kairaba Jawara was re-elected five times, becoming President when the country opted for republican status in 1970. The UP was in 1975 eclipsed by a new opposition party, the National Convention Party (NCP) whose leader, Sheriff Dibba, had formerly been a leading figure in the PPP.

The relative stability of the Jawara era was first broken by a violent, unsuccessful coup attempt in 1981 led by Kukoi Samba Sanyang. Sanyang had on two occasions unsuccessfully sought election to Parliament. After a week of violence which left several hundred dead President Jawara, who was in London when the attack began, appealed to Senegal for help. Senegalese troops defeated the rebel force.

There were two important ramifications of the coup attempt: the establishment of a confederation with Senegal in February 1982 which later collapsed, and the establishment of a Gambian Army (later known as the Gambian National Army).

At elections held in 1982 Jawara was re-elected President, with 72% of the vote. Two new political parties emerged in 1986; the Gambia People's Party (GPP) under the leadership of Assan Musa Camara, who had previously been a leading figure in the PPP; and the People's Democratic Organisation for Independence and Socialism (PDOIS), led by Halifa Sallah and Sam Sarr – both of whom had been detained briefly in 1981. At the May 1987 elections, neither of the new parties took a single parliamentary seat.

PRESIDENT YAHYA JAMMEH AND THE APRC

On 22 July 1994, the Armed Forces Provisional Ruling Council (AFPRC), led by Lieutenant Yahya A.J.J. Jammeh, seized power in a bloodless military coup d'etat, deposing the government of Sir Dawda Jawara. This was widely condemned by the international community. Lieutenant Jammeh, Chairman of the AFPRC, became Head of State. All of the leading members of the AFPRC (the so-called 'gang of five') were less than 30 years of age at the time of the coup.

Following the coup d'etat, the 1970 Constitution was suspended and the presidency and the legislature, as defined therein, dissolved. The AFPRC also imposed a ban on all political parties and activity, the temporary closure of the country's borders and a dusk-to-dawn curfew. The AFPRC also announced a transition plan for return to democratic civilian government. Lieutenant Jammeh announced the formation of a provisional Cabinet, comprising both soldiers and civilians.

In October 1994 the AFPRC announced a programme for the transition to democratic constitutional rule, which provided for the restitution of elected civilian organs of state in 1998 – four years after the seizure of power. Both internal groups and external powers condemned the length of the proposed transition period.

On 11 November 1994 there was another attempted coup, this time led by Lieutenant Basiru Barrow. Rumours of as many as 50 deaths were reported. The UK, Denmark and Sweden, in particular, warned their citizens against travelling to The Gambia. This led to an estimated loss of 25% of tourist industry employment.

Responding to pressure for a return to civilian rule, in November 1994 the AFPRC established a National Consultative Committee (NCC) to review the issue. The transition period was reduced to two years but Lieutenant Jammeh decreed that no new political parties could be formed until three months before the elections. The suspension of the Constitution and ban on political parties and political activities remained in effect.

A more serious attempt at a coup d'etat took place in January 1995, when two senior AFPRC members, Vice-Chairman Sabally and the Minister of the Interior,

Mr Hydara, attempted to seize power. The coup attempt was foiled and both were removed from office and imprisoned.

This was followed by a period during which there were frequent arrests of politicians and journalists, as well as allegations of harassment of civilians by the military.

The AFPRC established a Constitutional Review Commission (CRC) in April 1995 and decided that the draft Constitution had to be submitted to a referendum before the ban on politics was lifted. However, the AFPRC had formed its own 22 July Movement, which manifested all the features of a political party and was utilised to contest the elections from an advantaged position of incumbency.

The transition process included the compilation of a new electoral register, adoption of a new Constitution by referendum in August 1996, and Presidential and Legislative elections in September 1996 and January 1997 respectively.

A Constitutional Referendum took place on 8 August 1996. More than 70% of voters were reported to have endorsed the draft Constitution proposed by the CRC. The Constitution of the Second Republic of The Gambia entered into full effect on 16 January 1997.

A Presidential Decree shortly thereafter then re-authorised party political activity. The People's Progressive Party (PPP) of former President Jawara, the National Convention Party (NCP) and the Gambian People's Party (GPP) were banned from contesting the forthcoming elections, as were all holders of executive office in the 30 years prior to the 1994 military take-over (the latter under Decree 89). The only pre-coup parties authorised to contest the elections were the PDOIS and the People's Democratic Party.

The effective ban on participation in the restoration of elected institutions of all those associated with political life prior to July 1994 provoked strong criticism from the Commonwealth Ministerial Action Group on the Harare Declaration (CMAG). CMAG expressed its concerns regarding the lack of a fully inclusive political system in The Gambia, urging the immediate removal of the ban on political activities by certain parties and individuals. CMAG also sought demonstration of the Government's expressed commitment to the observance of human rights and the rule of law, and appealed to the Government to investigate allegations of the harassment of members of the Opposition.

A Presidential Election was held in September 1996. The 22 July Movement transformed itself into an official political grouping to support Lieutenant Jammeh's campaign for the Presidency, calling itself the Alliance for Patriotic Reorientation and Construction (APRC).

Prior to this election the President of The Gambia's Provisional Independent Electoral Commission (PIEC) called for the release of political detainees. After the Presidential Election most of the long-term remaining political detainees, including army and police personnel, were released.

1996 PRESIDENTIAL AND 1997 PARLIAMENTARY ELECTIONS

A Provisional Independent Electoral Commission (PIEC) was established in 1996 to conduct national elections. The PIEC was transformed to the Independent Electoral Commission (IEC) in 1997 and became responsible for registration of voters and the conduct of elections and referenda.

Having conducted political rallies and organised pre-party activities via the 22 July Movement over a two-year period the APRC gained a significant advantage over the other parties. Lieutenant Jammeh and three civilian rivals contested the Presidential Election on 26 September 1996 in what was viewed by commentators as a heavily flawed process. President Jammeh officially took 56% of the vote, becoming The Gambia's second elected president in 31 years of independence. He was inaugurated on 18 October 1996. Elections for the National Assembly were held on 2 January 1997. The APRC took 33 of 45 contested seats, the United Democratic Party (UDP) took seven seats, the National Reconciliation Party (NRP) two seats, the PDOIS one seat, and independents took the remaining two seats.

The then Chairman of the IEC, Bishop Tilewa Johnson, commissioned a report to revise the constituency boundaries after the 1996 Elections so as to better reflect the demographic changes and population movement. He was subsequently removed from the IEC by the President, without undergoing the disciplinary procedure prescribed in the Constitution for the removal of the IEC Chairman. The recommended changes in the Report were not implemented.

2001 PRESIDENTIAL AND 2002 PARLIAMENTARY ELECTIONS

In July 2001 President Jammeh announced the abrogation of Decree 89 and the ban on Jawara-era political parties and politicians was lifted. Four registered opposition parties participated in the Presidential Election on 18 October 2001.

President Jammeh won outright on the first round with 52.96% of the vote, though allegations of vote tampering, identity card fraud, multiple voting, vote buying and other serious irregularities were made by the opposition, including allegations that thousands of non-Gambians living across the border in Senegal voted. Observers from the European Union, the Commonwealth, the United Kingdom, the United Nations (UN) and Transparency International concluded that they were relatively satisfied with the election.

Coming in second was Mr Ousainou Darboe of UDP, who had formed a coalition with the PPP, the party of former President Sir Dawda Jawara, and with the GPP of Hassan Musa Camara.

The Commonwealth Observer Group (COG) found that on the day of the polling Gambians were able to exercise their vote freely and that there was no organised attempt to defraud either the voting or the counting processes. The COG recommended, however, a series of institutional reforms to strengthen democratic practice and processes.

Parliamentary elections were held on 17 January 2002 giving the APRC 45 of 53 seats. The PDOIS took three seats; by law, five seats are appointed. Citing bias

on the part of the IEC the UDP (the main challenger to the APRC) boycotted the elections. APRC candidates ran unopposed in 33 of 48 constituencies. Former Head of State Sir Dawda Jawara returned from exile in September 2002, on condition that he refrained from participating in partisan politics.

FORMATION OF NADD COALITION

Recognising their own weaknesses, due to the split within their ranks, the opposition formed the National Alliance for Democracy and Development (NADD) in January 2005. This consisted of the country's four main opposition parties: the United Democratic Party (UDP); the National Reconciliation Party (NRP); the National Democratic Action Movement (NDAM); and the People's Democratic Organisation for Independence and Socialism (PDOIS).

In April 2005 the NADD registered itself as a single political party. Under the new party's MOU all member parties had to agree on a single candidate for all elections, and a member party would have to leave the NADD if it decided that it would prefer to field a candidate under its own name. As a new political party, the National Assembly members of the parties in the coalition were forced to resign from the National Assembly and seek re-election under the new party banner. Key opposition leaders, including Hamat Bah the leader of the NRP, subsequently lost their seats.

The chances for mounting a robust challenge to the President were increased as Gambian politics follows largely ethnic lines, though the President is able to garner some support across ethnic groups. Over the course of the next year NADD and its constituent members did win several other by-elections for National Assembly seats, and it appeared that the coalition was successfully gaining the support of the electorate.

APPOINTMENT OF COMMONWEALTH SPECIAL ENVOY

In August 2005 the Commonwealth Secretary-General, Rt Hon Don McKinnon, appointed General Abdul Salami Abubakar, a former Nigerian Head of State, as a special envoy to The Gambia. He visited The Gambia twice and held consultations with the President, the opposition groups and civil society. During his second visit, and in response to the tense political situation, General Abubakar initiated the preparation of a Memorandum of Understanding (MOU) to guide the conduct of political activities, especially in the lead-up to the September 2006 Presidential and January 2007 National Assembly Elections (see *Annex Nine*). Discussions were held with all the stakeholders on the operation of the MOU.

In February 2006 representatives of the Government and the opposition parties signed the MOU, which called for the provision of a Code of Conduct to be followed by all the parties and their supporters in order for the next elections to be held on a level playing field.

After three visits by General Abubakar the Nigerian President, Olusegun Obasanjo, visited Gambia in February 2006 and used his influence to persuade President Jammeh to sign the MOU.

Before the signing of the MOU political tension had been running high in the country. At the signing ceremony, to prove his commitment to the agreement, President Jammeh announced his decision to drop all charges of sedition against three members of the opposition coalition: Halifa Sallah, Omar Jallow and Hamat Bah, who had previously been accused of treason and colluding with Senegal against President Jammeh.

The immediate impact of the signing of the MOU was the reduction of political tension in the country. One of the provisions of the MOU was the creation of an inter-party committee under the Chair of the IEC Chairperson, to discuss and resolve problems relating to the forthcoming elections.

SPLIT IN THE NADD OPPOSITION COALITION

Some analysts viewed the coalition as ripe for fracture, on the basis that the leaders of its constituent parties were viewed to be too interested in power for themselves to share it out among a coalition. The main problem for the NADD came with the task of selecting a single candidate to contest the October 2006 Presidential Election. For months the NADD had refused to name a flag-bearer, and many thought that when it did the fracturing would begin.

When it became clear that Mr Darboe would not be the NADD's choice as Presidential candidate for the 2006 Presidential Election he decided to leave in February 2006, citing growing tensions within the NADD as his main reason. Some observers have suggested that Mr Darboe may have felt that as the leader of the largest opposition party he would stand a much better chance of defeating the President than any of his colleagues in the coalition. Within weeks of Mr Darboe's announcement the leader of the NRP, Hamat Bah, announced that he also was leaving the coalition and would be forming a partnership with the UDP to contest the 2006 election. Mr Darboe was the Presidential candidate for the UDP/NRP/GPDP coalition.

In early March 2006 the NADD Executive Committee named the party's candidate for the Presidential Election as the PDOIS leader and NADD coordinator, Halifa Sallah. Mr Sallah was a long-serving member of the National Assembly for the small PDOIS party and was seen as a good choice to coordinate the NADD from its inception.

The opposition was in the same position as it found itself in 2001: its votes would be divided, potentially handing President Jammeh a relatively easy victory in the Presidential Election.

This was evident in May 2006, when the APRC won a by-election where the combined votes for the NADD and UDP/NRP candidates were greater than those for the APRC candidate.

The by-election was seen as an important litmus test for the opposition, following the partial break-up of the NADD coalition, with both the NADD and the UDP/NRP coalitions putting forward candidates to challenge the APRC.

In by-elections held over the 18 months during which the UDP and the NRP were still part of the NADD, NADD candidates (or candidates from the NADD's constituent member parties) won three out of six by-elections.

FOILED COUP ATTEMPT IN MARCH 2006

In March 2006 there were reports of a foiled coup plot against President Jammeh. In the weeks following the foiled coup attempt a total of 47 people, including several senior army officers, politicians, civilians and businessmen, were accused of complicity and were arrested and detained in connection with the coup, but 27 of these have since been released.

The trial of those arrested for the planned coup attempt in March 2006 was reopened on 25 May. Fifteen people who had allegedly plotted to overthrow President Jammeh were on trial on treason and conspiracy charges. The defendants consisted of eight civilians and seven army officers. Eight of those charged were to be tried separately under different provisions of the law, and their trial was postponed until 27 June 2006, following a request by their attorneys.

Mariam Denton, a senior lawyer and legal counsel for the UDP who was critical of the ruling party, was arrested and detained for over 100 days without access to family and legal representation and was only released without charge in July 2006.

Several of those detained were paraded on television to confess their roles in the coup plot. However, almost all of them seemed to blame the army chief of defence staff, Colonel Ndure Cham, for engineering the plot.

Five people were reported to have escaped from custody, including the coup's suspected leader, Colonel Cham, when the police vehicle they were travelling in crashed into a ditch in early June. To date, there is no information on their whereabouts.

MEDIA

There are both public and private media in The Gambia. The private media face severe restrictions, with radio stations and newspapers having to pay high licence fees. A Commission with wide-ranging powers was set up under a 2002 media law. It was seen by critics as a threat to press freedom.

The murder of the Deyda Hydara, editor of a newspaper critical of the Government, in December 2004 heightened concerns over the Government's treatment of the media (this is covered in detail in *Chapter Five: Media*).

The closure of offices of *The Independent* newspaper by the Government in 2005, and reported harassment of journalists, continues to foster disquiet and fear among the media. A number of journalists have reportedly fled the country fearful of reprisals from the intelligence and security services.

We were informed that even though the recent legislation to increase the cost of licence fees has not yet been implemented the media has begun exercising self-censorship. Some members of the media admitted to self-censorship so as not to draw the wrath of the Government and likely implementation of the law.

HUMAN RIGHTS

The Constitution of the Republic of the Gambia advocates fundamental rights and freedoms (Chapter 4). Democratic and political rights (such as freedom of speech, assembly and association, and the right to political participation) are guaranteed in Chapter 5. Furthermore, the Gambia has also acceded to a number of international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR). The effect of this is that Gambia is legally bound, under international law, to ensure to its citizens, by legislative and other means, the protection of these various rights. It should also ensure that it does not violate those rights. The ICCPR sets out basic 'civil and political rights' and the fundamental protections necessary for citizens' meaningful participation in the political life of a nation. These political rights and freedoms refer to the right and opportunity to vote and to be elected in Presidential, Parliamentary and other elections in fair conditions and circumstances. enjoyment of these political rights and freedoms is instrumental in securing other human rights such as education, work, health and equal access to justice, and provides part of a basic framework for the successful implementation of development programmes. They also provide a basis on which the electorate may assess the performance of any political party or government in the provision of education, work, health and equal access to justice in the electoral process.

Human rights defenders in The Gambia continued to complain about the growing number of people being detained for durations longer than the 72 hours allowed by the Constitution without being brought to a proper court of law and charged. The continued detention of political opponents including politicians, journalists, lawyers and others seen to be critical of the Government has drawn widespread condemnation from human rights groups, as well as professional associations such as the International Bar Association. The recent case of a woman Member of Parliament, Hon Dute A Kamaso, who has been in custody without trial for over four months, raises questions about the Government's commitment to human rights. The Government has always argued that national security must override all other considerations and defended the detention of persons it considers to be threats to peace and stability.

Civil society organisations, particularly those dealing with human rights advocacy, feel vulnerable due to the political climate in the country. They also lack the resources and should be assisted in developing their institutional capacity to investigate allegations of human rights violations and promote human rights awareness.

Freedom of speech and intimidation of journalists have been issues of concern in the Gambia. The repeal of the National Media Act and the establishment of the National Media Commission have resulted in the restriction of press freedom. The Commission is a state-appointed committee with the power to license and register journalists and force them to disclose their sources of information.

Other human rights concerns relate to trafficking in persons, violence against women and female genital mutilation (FGM). The Government has, however, initiated anti-trafficking legislation and established a multi-agency trafficking taskforce. It has also supported efforts to eradicate FGM and discouraged it through health education, although no legislation has been passed.

Chapter Three

ELECTORAL FRAMEWORK AND PREPARATIONS FOR THE ELECTION

LEGAL AND CONSTITUTIONAL FRAMEWORK

The Constitution of the Republic of The Gambia provides that every citizen of The Gambia who is 18 years and over may vote, with few exceptions². The vote is by secret ballot.

The Elections Decree (No. 78 of 1996) (Elections Decree) is the main electoral law, supplemented by the Elections (Amendment) Act of 3 July 2001. The electoral law covers the method of registration of voters, registration and conduct of political parties, nomination of candidates, conduct of election campaigns, conduct of elections at polling stations and counting of votes as well as election petitions.

The Constitution provides for the election of the President every five years and that an election must be held three months preceding the expiry of the incumbent's term of office. The President is elected on a simple majority system. There is no term limitation on re-election to the office of the President, but the President must be aged between 30 and 65³.

The Constitution further provides for equality under the law and entrenches freedom of expression, association and assembly and other basic political and human rights. It also has a provision for the separation of powers between the Executive, the Judiciary and the Legislature.

THE INDEPENDENT ELECTORAL COMMISSION

Establishment

The Constitution provides for the setting up of an Independent Electoral Commission (IEC) and the procedures for appointments of members of the IEC (Section 42). In accordance with Section 42 of the Constitution, the IEC is

² S.7 of the Election Ordinance No 27 of 1963 states that no person shall be entitled to have his/ her name entered on a Register of Voters, or having had his/her name entered on a Register of Voters, to vote who

^{1.} is, by virtue of his own act, under any acknowledgement of allegiance, obedience or adherence to a foreign power or state; or

^{2.} is serving a sentence of imprisonment; or

^{3.} is adjudged to be of sound mind or detained as a criminal lunatic under any law for the time being in force; or

^{4.} is otherwise disqualified under this Ordinance or any other law for the time being in force.

³ Constitution, s.62 (1)(b)

composed of a Chair and four other members, one of whom is elected Vice-Chair.

The authority to appoint members of the IEC is vested in the Head of State and they are appointed for an initial term of seven years and may be re-appointed for one further term.

The Constitution⁴ also provides the conditions under which the President may remove a member of the Commission from office:

- for inability to perform the functions of his or her office whether arising from infirmity of mind or body or from any other cause;
- if any circumstance arises which would have disqualified him or her from appointment to the Commission; or
- for misconduct, but before removing a member, the President shall appoint a tribunal of three judges of a superior court to enquire into the matter and report on the facts. A member of the Commission shall be entitled to appear and be legally represented before the tribunal.

Since 1996, three Chairpersons have been removed from office (one of them twice), and three members of the Commission have also been removed, apparently without following due process. As recently as July 2006 the Chairperson of the IEC, Mr Ndondi S Z Njie, and two Commissioners were dismissed by the President. Alhagie Mustapha Carayol is the currently appointed Chairperson.

Responsibilities

The IEC is responsible for the registration and supervision of political parties, the registration of voters for all levels of national elections and referenda and the conduct of such elections. The IEC also carries responsibility for electoral boundaries management, for ensuring that the dates, times and places of public elections and referenda are fixed and that they are publicised and held accordingly.

Independence of the IEC

The IEC's independence is constitutionally guaranteed and, in the exercise of its functions, the Commission shall not be subject to the direction or control of any person or authority. Given the number of dismissals of IEC members that has occurred to date an inference could be drawn that IEC Commissioners do not enjoy the security of tenure that is suggested by the words of the Constitution.

Structure

Staff of the IEC are appointed by the Commission. The headquarters office in Latrikunda comprises five functional Divisions of Administration; Operations; Training, Communications and Public Affairs; Finance; and Information Technology. Each of the seven Administrative Divisions is under the direct oversight of a member of the Commission, who also acts as Returning Officer for

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⁴ Section 42 (6)

elections in their area. A Regional Electoral Officer (REO), assisted by an Assistant REO, heads each administrative office. ⁵

Funding

The Commission's work is funded principally by budgetary allocations from the Government of The Gambia, like any other government ministry or department. This allocation is supplemented by support from donors, partners and friends of the Commission, and prominent in that category are the British Department for International Development (DFID), United Nations Development Programme (UNDP), the Commonwealth Secretariat, the Embassy of the United States of America and the Canadian International Development Agency (CIDA).

In the opinion of the Group, the government of The Gambia has a responsibility to adequately fund the IEC to undertake its functions.

CONSTITUENCIES

The Gambia comprises seven Administrative areas, subdivided into 48 constituencies. Polling was conducted at 989 polling stations, with approximately 800 voters registered at each station. One counting centre for each constituency was established, in which the ballots from polling stations in that constituency were collated and counted. The results from each counting centre were relayed to the IEC, where they were collated and verified. The results were announced publicly by the Chairman of the IEC.

The Group noted a significant disparity amongst the 48 constituencies in terms of their population composition. The number of voters registered for each constituency ranged from 1,651 registered for the Janjanbureh constituency through to 57,960 registered for the Kombo North constituency (see *Annex Ten*).

Following the 1996 Presidential and National Assembly Elections the then Chairperson of the IEC had commissioned a report to revise the constituency boundaries so as to better reflect demographic changes and population movements that had occurred since the boundaries were last set⁶. The recommended changes were not implemented after the Chairperson was removed from office.

Gambians effectively voted as one electorate for the Presidential Election and the composition of the boundaries was consequently not an issue. However, the Group sees a clear need for the constituency boundaries to be reviewed in order to better align the numbers of voters in each constituency, and hence to bring them more into line with the 'one vote, one value' principle that is fundamental to a modern democratic structure. Whilst it is probably too late to do this in time for the 2007 National Assembly elections, the boundaries should be reviewed as soon as possible thereafter.

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⁵ IEC 'Information Kit for the Media/Observers'

⁶ According to the Chief Electoral Officer, Mr Kawsu Ceesay, the boundaries were last revised in May/June 2001.

VOTER REGISTRATION

Article 43 of the Constitution assigns the IEC the responsibility for registering qualified Gambian citizens to participate in public elections. Article 11(1) of the Elections Decree directs the Commission to prepare, compile and maintain a Register of Voters for each constituency.

The IEC carried out a supplementary registration exercise between January and February 2006 in all 48 constituencies. Applicants for registration were required to produce a National Identity Card issued by the Immigration Department, or a birth certificate, or have five elders certify their Gambian citizenship and age. Following the registration exercise every registered voter was issued with a Voters Card with a polling station number on it. On the day of polling registered voters were required to vote at the station for which they were registered.

During June and July 2006 the provisional voter lists were scrutinised by the public for errors and corrections. The IEC then computerised the registration data. Public scrutiny was intended to demonstrate that:

- only qualified persons had been registered;
- the names and particulars of all qualified persons were included on the register;
- no unqualified or deceased electors appeared on the register;
- no names were duplicated on the register;
- there were no typographical errors; and
- the National Identity (ID) Card numbers had been entered correctly.

Objections to the register must be accompanied by a fee of 25 Dalasis for each objection. We were informed by the IEC that no objections had been lodged to the provisional voters register. It is possible that the fee became a disincentive for people to object to names on the register.

The Group also considers that the IEC should endeavour to undertake annual updates to the Register of Voters in all constituencies.

REGISTER OF VOTERS

The final polling station registers, with 670,336 registered voters, were printed and distributed to polling stations in time for polling day. Party agents were also given copies of the registers.

In the days before the poll a number of issues relating to the Register of Voters were raised by various parties at briefing sessions organised by the Group. Media reports also raised concerns with the registers, particularly reports about non-Gambian and under-age registrations.

To assist with enquiries at the polling stations, registers of voters were also prepared in number order, and we observed many cases where those versions of the register were used.

VOTER EDUCATION

Voter education was contracted by the IEC to the National Council for Civic Education (NCCE). Established in 1998 by an Act of Parliament, the NCCE is an independent body responsible for voter education. It is governed by a five-person council appointed by the President and ratified by the National Assembly.

The NCCE carried out several activities to inform voters of their civic rights and responsibilities leading up to and during election day. Public education campaigns were conducted through community meetings in various regions of the country, leaflets (for example, see *Annex Eleven*), radio and television programmes. The NCCE also conducted election seminars for the media, law enforcement officers and political parties.

The NCCE administrative budget is funded from the national budget. However, project funding is dependent on international funding agencies.

SECURITY

Article 129 of the Elections Decree provides that the Inspector-General of Police shall, at the request of the IEC, assign to it such numbers of police officers as the IEC may require during the election period.

During polling exercises, police officers serve directly under the (IEC) for three days before and until three days after polling day⁷. The IEC requested two police officers per polling station.

Of crucial importance to the security of the ballot tokens is the requirement that Presiding Officers and party agents travel in the vehicle with the ballot drums from the polling stations to the counting centres. The Group noted that this happened on all occasions.

At the IEC briefing, the Group was told that during transit from polling stations to counting centres, the ballot drums would be escorted by security vehicles – one in front and the other at the rear of the vehicle carrying the drums, election officials and party agents. It should be noted that in the areas we observed this procedure was not followed, but that police did accompany the ballot drums and security was adequate.

TRAINING

The successful impact of the training done by the various agencies was very evident in the efficient and confident manner in which all sectors engaged in the election process performed their duties.

⁷ As advised by the Deputy Chairman of the IEC.

Training the Police

The Deputy Inspector-General of Police of The Gambia informed the Group that his officers were trained on their duties through workshops with the IEC, particularly for work on election day.

Training of Local Observers

In our meeting with the Civil Society Coalition we were informed that the organisation carried out special training for local observers. They claimed to have trained fifty for these elections and, with those trained previously, the strength of the trained observers was about a hundred. They also claimed to have conducted three country-wide training sessions while observing campaigns.

Training by the IEC

At a meeting between observers and the Chief Electoral Officer, Mr Kawsu Ceesay, we were informed that the IEC conducted training for security staff, the media, polling officials and political parties, stressing among other things their roles and responsibilities in the electoral process.

Training by the National Council for Civic Education (NCCE)

The Programme Officer of the NCCE explained in detail the continuous training and education programmes conducted by the institution throughout the country. The training and education exercises not only addressed training for the voting process but also touched on topics of civic rights and responsibilities of citizens. He spoke of the methods of training through meetings, leaflets, the radio and television, and also by messages and slogans on T-shirts. The institution also conducted special seminars for the media, law enforcement officers and political parties.

The need for training seems to have been addressed. It was encouraging to note that all the agencies pledged to conduct training on a continuous basis and not only at election time. The NCCE indicated its intention to extend its civic training to schools, even to the extent of streaming it into the school curriculum.

PRESIDENTIAL CANDIDATES

Prior to the Presidential Election the ruling party APRC had 46 seats in Parliament, in coalition with the National Convention Party (NCP). The NADD had three seats in Parliament and consisted of a coalition of three main parties, the PDOIS, the NDAM and the PPP.

Nominations for Presidential candidates were announced by the IEC on 29 August 2006. The political parties/coalitions contesting the 2006 Presidential Election were:

Alliance For Patriotic Re-Orientation and Construction (APRC)

Party Symbol: palm tree against a green background

Party Colour: green

Party Leader/National Chairman: Yahya A J J Jammeh

United Democratic Party (UDP) / National Reconciliation Party (NRP)
 Coalition / (GPDP) Gambian People's Democratic Party

Coalition symbol: handshake

Coalition Colour: yellow (colour of UDP party)

Presidential Candidate: Ousainou A N M Darboe, Secretary-General of UDP

• National Alliance for Democracy and Development Coalition (NADD)

Coalition Symbol: right hand with pointed index finger

Coalition Colour: grey

Presidential Candidate: Mr Halifa Sallah, PDIOS

Chapter Four

THE CAMPAIGN

CAMPAIGN PERIOD

The campaign period was officially declared to be from 31 August to 20 September. The Elections Decree (No.78 of 1996) set out election campaign ethics, including that every candidate and political party involved in the election campaign shall:

- respect the fundamental principles of the state enshrined in the Constitution;
 and
- carry out his or its campaigns in keeping with ethical and moral standards and respect due to the candidates and political parties, voters and the Gambian people.

THE CONDUCT OF THE CAMPAIGN

The campaign was conducted within the legal framework of the Constitution and the Elections Decree. Under Section 85 of the Elections Decree the IEC is responsible for determining the campaign period.

During the campaign the candidates and their supporters were expected to conduct their activities in a manner and spirit that would "promote a congenial and peaceful atmosphere." By and large this particular aspect of the provisions was adhered to.

The campaign took place against the background of the Memorandum of Understanding (MOU) and the Code of Conduct signed by the three political parties. The parties agreed in the highest interest of The Gambia to work constructively towards the consolidation of democracy, respect for human rights, the rule of law and good governance. Unfortunately the principles contained in the MOU were not strictly adhered to.

The IEC was responsible for issuing permits for campaign meetings by the three Presidential candidates as well as co-ordinating with the police to ensure that adequate security was provided. The Group observed that the ruling party had security cover at its meetings. The police informed the Group that the opposition had at no time applied through the IEC for security. Moreover, the IEC was also responsible for the distribution of airtime for political message coverage.

Campaign methods

During the campaign political parties used various methods which included the media, public rallies, posters and billboards. The Group also saw t-shirts, stickers, caps and other materials being used.

Supporters of political parties conducted rallies and meetings to further their campaigns. Additionally, security personnel were seen openly campaigning for the incumbent candidate.

The Group noted that it was largely APRC that had visibility in terms of t-shirts, flags, billboards and posters. The other parties were virtually invisible.

The Group did not observe any usage of inciting or inflammatory language, although there was a tendency to attack the personalities of the other candidates.

The Elections Decree specifically prohibited "abusing or engaging in the improper use of the Government for political propaganda purposes; and campaigning in public offices or educational institutions during working hours or hours of instruction".

Posters of the APRC candidate were seen at Government buildings and some security service establishments. A case in point was the sighting of a life-size poster of the incumbent candidate at the Police Intervention Unit (PIU) complete with campaign slogans of "Vote for APRC."

During the briefings with the ruling party officials and the Deputy Inspector-General of Police, observers were told that there was nothing wrong with the display of posters of the incumbent candidate anywhere, by explaining that both police and army personnel were allowed to express their affiliation to any political party if they so wished.

The Group was not satisfied by this explanation.

While recognising the advantage accruing to the President as the Head of State, a clear distinction between the ruling party and the Government should be made during an election period. It was the considered view of the Group that there was no level playing field during the campaign.

The Group had been informed during its meetings with civil society organisations, the media and opposition politicians that there was a climate of fear arising from the arrest and detention without trial of political opponents, journalists and others critical of the Government.

The statement by the President during his campaign that he would not develop areas that did not vote for him was seen by the Group as unhelpful and considered by other parties as a form of intimidation.

CONCLUSION

The Group concluded that the election campaign activities did not comply with the spirit of the MOU, the Code of Conduct and the Elections Decree. There was no level playing field during the campaign.

Chapter Five

THE MEDIA

OVERVIEW

The media was an important part of the election process. They were vehicles for informing and educating the electorate to be able to make informed choices. Therefore, candidates and political parties were able to make use of the radio stations, newspapers, television stations, the internet and other forms of media to communicate political messages.

THE MEDIA IN THE GAMBIA

There are both public and private media in The Gambia.

The print media in operation during the election period were the *Daily Observer* and *The Point*, which are The Gambia's daily newspapers. The weekly papers are *Forayaa* and the *Gambia News and Reports*.

The Gambia Radio and Television Services (GRTS) are government-owned. Other radio stations in operation were *West Coast* and *City Limits*. Most radio stations are localised and mainly broadcast in local languages.

In 2002, under the Media Law, a Commission was set up with powers ranging from issuing licences to prosecuting journalists.

Freedom of the press and intimidation of journalists have been issues of concern in The Gambia. The private media faced restraints and threats of high licence fees leading into the election. This was seen by critics and media professionals as a threat to freedom of speech.

Further legislation introduced in late 2004 provided jail terms for journalists found guilty of libel or sedition. Deyda Hydara, one of the press law's leading critics and Editor of *The Point*, a private newspaper, was shot dead days after the law was passed. There have been calls for a public enquiry into this matter.

THE MEDIA CODE OF CONDUCT

During the 2006 Presidential Election media coverage of the campaign period was guided by a code of conduct that was developed by the media with support from the IEC (see *Annex Twelve*).

In this regard the public medium, which includes GRTS, were required to provide fair access for all political parties and candidates. Section 78 of the Elections Decree stipulated that the IEC should ensure that "equal airtime is given to each candidate and national party on the public radio and television".

The television station provided the 30 minutes coverage of political rally activity reports per party per day, and 10 minutes of direct broadcast access to voters per party per day. GRTS covered news with content line-up being primarily progovernment.

MEDIA MONITORING FINDINGS

The IEC contracted an independent consultant to monitor media coverage of the electoral process. The media monitored were: GRTS TV and GRTS Radio; the *Daily Observer*, *The Point*, and *Forayaa* newspapers; and West Coast FM and Kids with Talent FM radio stations.

Some of the general findings of the IEC contracted Media Monitoring Unit conducted from 5-15 September 2006 (see *Annex Thirteen*) were that:

- political rallies regulated access on GRTS TV showed a clear advantage to APRC;
- GRTS TV did not broadcast the IEC political platform regulated access programmes, at least at a convenient hour;
- newscasts on GRTS TV gave overwhelming precedence to APRC, but also mentioned UDP and NADD;
- newscasts on GRTS Radio were more equitable between APRC and NADD, but did not mention UDP;
- private radio stations did not carry a minimum five minutes coverage of the election, as required by the Elections decree;
- there was no direct negative portrayal (in context and presentation) on GRTS radio and television;
- the print media was intensely covering the candidates' campaigns.

The Group noted that private radio stations did not adequately report on the campaign, but covered other social and entertainment programmes. Some media analysts told the Group that "politics and elections were dangerous subjects to cover" and that they instead chose to cover "safe subjects."

GRTS Television gave overwhelmingly favourable coverage to the APRC party throughout the campaign period, especially during the Prime News hour at 8.00 pm. This finding was corroborated by the Group from a sample of the newscasts that were watched. In many cases newscasts were about the APRC party, President Jammeh and his activities on the "Dialogue with the People" tour.

It was found that GRTS Radio did not meet its commitment to broadcast coverage as required by the IEC regulation. This station has the widest reach of audience in The Gambia and could have enabled voters to receive information about the campaigns by the various political parties.

CONCLUSION

The Group concluded that media in The Gambia did not provide fair, accurate and comprehensive information to enable citizens to make informed and intelligent political decisions and that would have given citizens the freedom to express divergent views.

Those yardsticks that amount to "free and fair" democratic practices of press freedom did not fully prevail during this campaign period.

Chapter Six

THE POLL, COUNT AND RESULTS PROCESS

THE POLL

Overview

Members of the Group visited 191 polling stations on Election Day and observed processes at counting centres after the close of polling (see *Annex Fourteen*). We were allowed to observe all processes freely.

Method of Voting

The Gambia follows a unique method of voting using marbles, called ballot tokens, which are deposited by the voter into the ballot drum of their choice. The three ballot drums for this election were painted in the colours and party symbols of the three political parties and photos of each candidate, along with the name of the party, were pasted onto the drums. A layer of sand was placed at the bottom of each drum to absorb the sound as the token hit the bottom. There are three ways that a person can qualify to vote on polling day:

- a person presents a valid voter card and his/her name is found on the polling station register;
- a person presents a valid voter card and his/her name is found on the polling station counterfoil; or
- a person presents a valid voter card and he/she produces a duty certificate authorised by the IEC.

If any of those conditions were met, the voter's name was marked off the register, his/her left index finger was dipped in indelible ink, and he/she was given a voting marble. The voter then proceeded to the voting compartment and placed his/her voting token in the drum of his/her choice. The sound of the bell signified that he/she had voted successfully and he/she then left the polling station.

Party Agents

Party agents were appointed by the candidates to observe all aspects of the voting and counting processes. Two agents could be appointed for each polling station, one of which could be present at the polling station at any time. APRC party agents were present at every polling station that we visited. This was not always the case with the other parties, although in most cases at least two parties were represented.

Party agents had a copy of the register of voters, which they used throughout the day to help identify voters.

We observed that party agents extended their full co-operation to the polling staff and very few objections to the process were raised. Overall, they appear to have contributed to a peaceful voting and counting process throughout the day.

Polling Staff

Polling station staff consisted of a Presiding Officer, an Assistant Presiding Officer and a Polling Official. The Polling Official found the person's name and marked it off the register, the Assistant Presiding Officer marked the person's finger with indelible ink, and the Presiding Officer issued the voting token and listened for the bell to signify that the person had completed their vote.

The polling staff deserve to be commended for their professionalism and hard work over many hours, in sometimes difficult conditions. Overall, they did their best to ensure that the people of The Gambia were able to exercise their right to vote.

Security Services

To provide security for each polling station, security staff were drawn from the police force, customs, immigration and the fire service. Most polling stations had two security staff. We observed that at many polling stations, the security staff assisted with the voting process by controlling voter queues and generally working with the Presiding Officer to ensure a smooth and orderly process throughout the day.

Polling Stations

There were 989 polling stations across the country, 178 more than for the 2001 elections, with the larger polling stations being split to reduce queues that had been experienced at previous elections. Many polling officials commented that the morning queues had cleared by midday, an improvement of some hours over the last election, for which the IEC is to be commended.

Throughout the country thousands of Gambian citizens waited with great patience in queues. The large turnout of women was impressive. We noted, however, that the overall turnout reduced significantly from the 2001 election – from 90% in 2001 to 58.58% in 2006. In many stations three queues were established: one for men, one for women, and another for 'priority' voters - pregnant women, women with babies, elderly and disabled persons.

The average number of voters assigned to each polling station was approximately 800. The layout of the polling stations was generally adequate although many, especially those in rural areas, lacked basic facilities. Polling stations were located in permanent buildings, temporary sheds, private premises and, in some cases, out in the open under trees - with voters having to queue for some time without protection from the sun.

Opening and Closing of Polls

Most of the stations we observed opened on time. Although polling staff were expected to arrange their polling stations the previous day, this was not always done. Early morning preparations had to be conducted by torch or candlelight. Space limitations in some polling stations also affected preparations for the opening, and the placement of polling staff, political party agents, security

personnel and the ballot drums. On the whole the established procedures were followed.

Prior to opening the polling station officials placed signs outside the polling station. They showed the empty drums to the party agents and then sealed the drums with four seals. The seal numbers were recorded by the Presiding Officer and confirmed by the party agents. Photographs, party symbols and the names of the candidates were fixed to the relevant drums, which was painted in the candidate's party colour. Polling staff wore IEC t-shirts for identification.

Polling was expected to end at 4.00pm. However, following heavy rain periods during the day the IEC extended polling hours in most constituencies until 6.30pm.

Verification of Voters

To verify the identity of voters polling officials cross-checked each person's voting card against the register of voters. If his/her name was not found the counterfoils were checked and, if the name was found, the person was allowed to vote.

Although the numbers were not significant, some polling stations, particularly in the rural areas, appeared to have a higher incidence of names not being found on the register of voters, but being found on the counterfoil. This second check against the counterfoil slowed the voting process and may have contributed to delays during the day. A review of the registers for accuracy may be in order, especially with the National Assembly Elections due early in 2007.

Persons presenting with a valid voters card and IEC duty certificate were allowed to vote. The Group commends this practice, which serves to improve the franchise for Gambian citizens who were away from their home base on polling day.

Although, once again, the numbers were not significant, the Group did observe instances where the name was not found on the register or counterfoil and the person was allowed to vote. There were no complaints raised about this by party agents.

Voter Queues

In some instances the splitting of some polling stations to reduce queues had the unfortunate consequence of creating confusion for voters trying to identify their correct polling station. Training of polling staff who were engaged specifically to direct voters to the correct queue, and signs at each polling station, would possibly have helped to minimise this problem.

Each polling station was allocated both a number and a name. The IEC advised that the polling station locations would be advertised on local radio. Only the number was included on the Voter Card. Many voters had to walk long distances to reach their polling station. We noted some instances where the polling station names were not correctly described in IEC information releases and we observed cases of voters being confused about the location of their polling station.

To minimise inconvenience for voters the IEC could consider relocating some polling stations closer to where the greatest number of voters reside.

Secrecy of the Ballot

To ensure that persons cast their vote in secret the ballot drums were placed either inside an enclosed voting screen, or in a closed room. Additional lighting was provided where necessary. We unanimously observed that the secrecy of the ballot was assured.

Disabled and visually impaired persons who needed help to vote were allowed to have a person of their choice, who could be a polling official, accompany them to cast their ballot.

Underage Voting

The Group was aware of allegations prior to the election that the register of voters may have contained the names of people younger than 18 years⁸.

We noted that no formal objections were raised to any names on the register of voters during the voter registration period. 9 We did, however, observe some instances of voters who appeared to be younger than 18. All held a valid voter card.

Atmosphere at Polling Stations

The general atmosphere at the polling stations was peaceful with co-operation evident among party agents, security staff and polling officials. During the poll we did not witness any intimidation or harassment of voters.

THE COUNT

Overview

Members of the Group witnessed counting processes at seven counting centres¹⁰.

The counting process itself was very simple, but proved to be time consuming for several reasons, the main one being the transportation of ballot drums from the polling stations to the designated counting centre. The counting began only when all of the drums to be counted at a centre had arrived. For example, in the largest constituency, Kombo North, counting did not commence until the early hours on Saturday morning.

After being on duty from as early as 5.00am on polling day polling staff and party agents in some centres showed signs of fatigue.

Despite the problems witnesses to the count were very patient and understanding.

We were also made aware of allegations of non-Gambians voting, but the Group was unable to verify this.

IEC briefing.

There were forty-eight counting centres throughout the country on polling day.

At the previous Presidential Election in 2001 there was uncertainty regarding who should observe the count and difficulty in identifying them. For the 2006 elections polling officials, party agents and domestic and international observers were easily identifiable by authority cards and/or t-shirts.

The unique balloting system, outlined earlier in this chapter, requires special counting equipment. The process involves the use of sieves to sift the marbles from the sand in the ballot drums, and then the use of trays, holding either 200 or 500 marbles, to count them.

The speed of counting varied according to the number of counting staff and the number of marbles in the drums.

Counting Procedures

The counting procedures were both transparent and straightforward. The Presiding Officer outlined the procedure clearly, then read a statement disclosing:

- the number of ballot tokens received, the number unused and a calculation of the number used;
- the number of invalid votes:
- the number of duty certificates issued and used;
- the number of voters who were allowed to vote where their names were not on the register but were found on the counterfoil (their names and registration numbers were also read aloud);
- the numbers of all the seals used for polling.

The drums were then opened in alphabetical order of the candidates' names and the number of ballot tokens for each candidate was counted. The trays were shown to all party agents and observers. Discrepancies were investigated and resolved before the results were transmitted.

At the conclusion of the count the votes received by each candidate were announced and recorded. Party agents verified and witnessed the results forms.

THE RESULTS PROCESS

Results from each counting centre were relayed to the relevant collation centre in each Administrative area, and then relayed to the IEC office in Latrikunda, where they were further verified before being publicly announced.

The Results

Number of Voters Registered	670,336	
Number of Votes Cast	392,685	
(Number of invalid ballots	124	0.03% of all votes cast)

% Voter Turnout 58.58%

Votes Received:

Mr Darboe	104,808	(26.69%)
President Jammeh	264,404	(67.33%)
Mr Sallah	23,473	(5.98%)

President Jammeh was proclaimed as the successful candidate by the IEC Chairperson on Saturday, 23 September 2006.

Chapter Seven

CONCLUSIONS AND RECOMMENDATIONS

The Commonwealth sent an Observer Group to the Presidential Election in The Gambia five years ago. It has since then continuously engaged the stakeholders in the political process with a view to strengthening democracy in the country. The exercise that has just been concluded afforded the Commonwealth another opportunity to reinforce the people's belief in the electoral process.

The attitude of the people of The Gambia has made the task relatively easier. By responding to the call to vote and conducting themselves in a peaceful and orderly manner in the polling stations, they demonstrated their support for democracy and a determination to sustain a politically stable society, thus contributing to one of the basic objectives of the Commonwealth. The peaceful conduct of the exercise is indeed a victory for them. They deserve our congratulations. The quality of performance of the IEC has improved over the years. The co-operation which the Group received from the IEC was invaluable and we convey our gratitude to them.

Based on the report of our observers as contained in the preceding pages, we hereby make the following conclusions and offer suggestions which, if implemented, have the potential of improving the quality of the process.

CONCLUSIONS

- the general political situation in the country, which was relatively calm after the signing of the MOU, became tense following the attempted coup, but in spite of this the situation still allowed for the conduct of a peaceful election;
- on election day activities were conducted in accordance with internationally accepted electoral procedures;
- although the voter turn-out was low compared to the last Presidential Election, the citizens of The Gambia demonstrated their commitment to democracy and their belief in the electoral process;
- we were impressed by the political maturity and patriotism of the Gambian people and their strong desire and determination to sustain peace in their country;
- the Independent Electoral Commission executed its mandate in a professional manner;
- there were some cases of voters who appeared to be under age, particularly in the rural areas but this could not have significantly affected the outcome;

- the timing of the President's 'Dialogue with the People" Tour was unhelpful, because it had the effect of interfering with the election campaign and providing an undue advantage to the incumbent;
- the open and partisan identification of the security services, including elements of the military, is an issue of serious concern in a democratic multiparty system;
- credible allegations of the abuse of incumbency e.g. the use of government personnel and resources during the campaign undermined the principle of a level playing field;
- while it is encouraging that the media provided access for all the parties, it is nonetheless a fact that they provided a disproportionate amount of coverage to the ruling party;
- notwithstanding the aforementioned shortcomings, it is our considered opinion that the result as announced by the IEC is a reflection of the wish of the people.

RECOMMENDATIONS

- The independence of the Electoral Commission should be strengthened. It should be financially autonomous and properly resourced for the smooth conduct of future elections. These measures should help to insulate the Commission from potential domestic and international pressures;
- regulations governing the appointment, promotion and dismissal of members of the IEC should be such as to guarantee tenured appointment. If and when it is necessary to dismiss an IEC member, due process, as provided by the Constitution, should be followed;
- the IEC should begin to address as a matter of urgency the issue of constituency delimitation to overcome or reduce the extreme disparities in the population of constituencies;
- the IEC should take further measures to eliminate under age registration and voting;
- the IEC should invite observers for the voter registration exercise. It should, as a matter of urgency, consider an exercise of annual voter registration;
- in determining the date for an election, consideration should be given to the vagaries of the weather. It should be at such a time when nature is less likely to prevent a smooth voting exercise;
- polling stations should be sited in areas that are most accessible to voters, particularly in the rural areas;

- in the period leading to the elections, appropriate action should be taken to ensure that all contesting political parties are given equal access to the public media. If necessary, a media monitoring unit should be established in the period before the elections to monitor this;
- there should be a clear distinction between the state and party. Regulations guiding the use of government resources and personnel in the lead up to the election should be enforced so as to eliminate any perception that the ruling party has an undue advantage;
- the Commonwealth-brokered MOU should be implemented both in spirit and letter, especially aspects dealing with inter-party dialogue to receive and deal with disputes arising from preparations for elections;
- democracy-related institutions should be strengthened, including the IEC, Parliament, the Judiciary, the Press, the Office of the Ombudsman, the National Council for Civic Education (NCCE) and the NGOs. Support from international organisations such as the Commonwealth should be sought;
- the development of a corps of domestic election observers should be encouraged and supported to further develop their institutional capacity. The support of friendly international organisations should be sought for this;
- finally, it is strongly recommended that there should be co-operation between the Government and the opposition. This is the most effective way to strengthen the democratic process and to promote socio-economic development across the country.

ACKNOWLEDGEMENTS

We extend our appreciation to the Commonwealth Secretary-General, Rt Hon Don McKinnon, for having entrusted this important task to us. We hope that our work here will make a positive contribution to the consolidation of democracy in The Gambia.

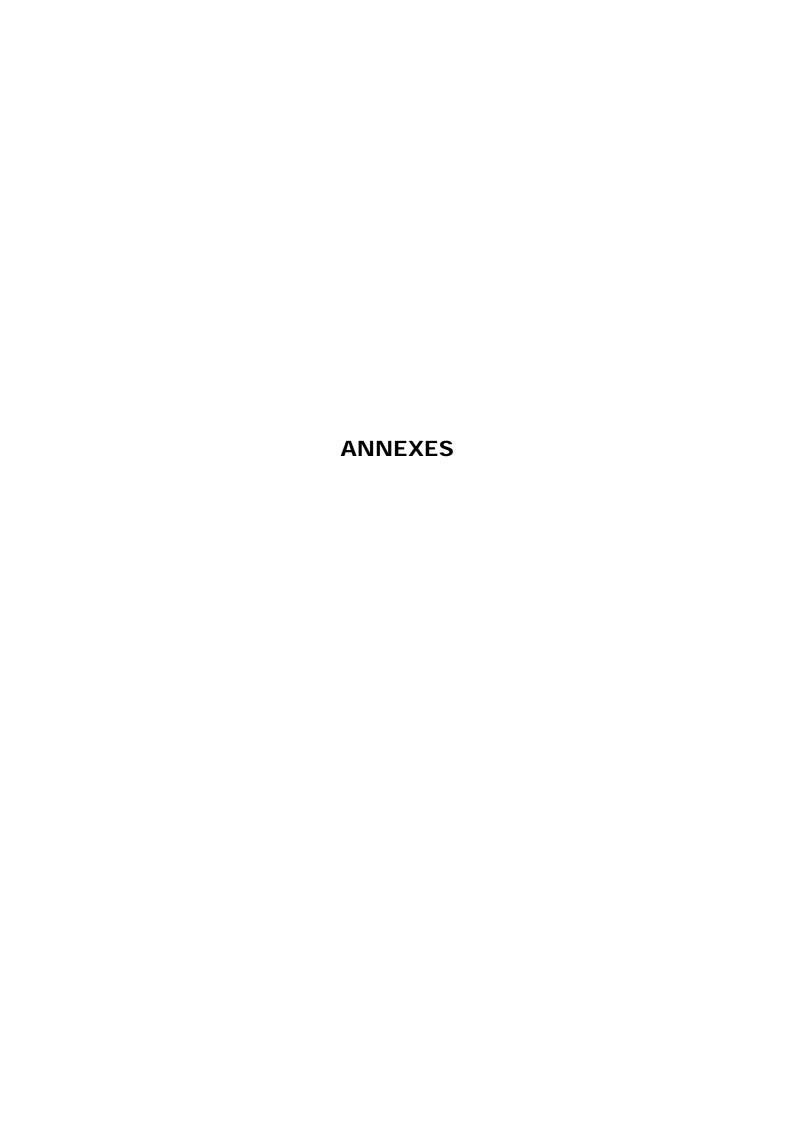
We are grateful to all those who facilitated our work during our presence in The Gambia. We are indebted to the Chairman of the Independent Electoral Commission, Alhagie Mustapha Carayol; the Chief Electoral Officer, Mr Kawsu Ceesay and colleagues both at the IEC headquarters in Latrikunda and in their regional centres for their invaluable advice and support.

We also appreciate the time and effort taken by the Inspector-General of Police and his Deputy, representatives of the political parties, non-governmental organisations, the media, international and domestic observers as well as the Diplomatic Corps for their briefings at the Kairaba Hotel in Kololi.

A special word of thanks must be extended to our administrative support staff, including our drivers, whose local knowledge and support, often under very trying conditions, made our work possible.

We wish to pay tribute and extend our sincere gratitude to the Commonwealth Secretariat Staff Support Team, led by Professor Ade Adefuye, whose dedication, professionalism and support were vital throughout our mission.

Finally, we express our thanks and gratitude to the people of The Gambia, especially to all those whom we met personally during our extensive travels throughout the country. Their warmth, generosity of spirit and kindness have greatly impressed us.



ANNEX ONE

LETTER OF INVITATION FROM IEC CHAIRMAN



THE REPUBLIC OF THE GAMBIA INDEPENDENT ELECTORAL COMMISSION

IEC9/Vol. 7 (29) (Fair-play, Integrity, and Transparency)

10th August 2006

Dear Sir,

Invitation to observe Presidential Election in The Gambia

The Independent Electoral Commission (IEC) of The Gambia is conducting elections to the office of the President of the Republic of The Gambia on Friday 22nd September 2006.

The Commission is sending out invitations to all the Diplomatic and Consular missions accredited to The Gambia, International Organisations and NGOs with interest in Democracy and Good Governance and Local NGOs that intend to observe the elections to provide a letter of intent addressed to the Chairman, IEC, 7 Kairaba Avenue, Latrikunda, P. O. Box 793, Banjul or fax to No: (220) 4373803 or on e-mail address: jcolley@iec.gm or admin@iec.gm before 25/08/2006.

Accreditation forms can be obtained from the IEC Head Office, downloaded or transmitted online from www.iec.gm

Once accredited, organisations will be supplied with further information pertaining to the conduct of the election, including, guidelines for election observation that all observers would be required to adhere to.

The IEC assures your organisation of a warm welcome in the Gambia, should you decide to accept this cordial invitation to send observers to witness the second Presidential Election during the Second Republic.

Please accept assurances of the Commission's esteem and highest regards.

Alhagie Mustapha

Yours sincerely

CHAIRMAN.

His Excellency Don MacKinnon Secretary General Commonwealth Secretariat Malborough House London

ANNEX TWO

LETTER FROM COMMONWEALTH SECRETARY-GENERAL TO THE IEC CHAIRMAN



COMMONWEALTH SECRETARY-GENERAL

H E Rt Hon Donald C McKinnon

30 August 2006

Den Mr Chairman

COMMONWEALTH OBSERVER GROUP 2006 PRESIDENTIAL ELECTIONS

The Assessment Mission which visited The Gambia has now reported to me and confirmed that there is broad support for the presence of Commonwealth Observers for the forthcoming Presidential Elections on 22 September 2006. I have therefore decided to constitute a Commonwealth Observer Group for the elections.

I am pleased to confirm the final composition of the Commonwealth Observer Group as follows:

Dr Salim Ahmed Salim

CHAIRPERSON

Former Prime Minister of Tanzania & Former Secretary-General of the OAU Tanzania

Hon Akua Dansua MP

Member of Parliament Ghana

Ms Daphne de Klerk

Former Co-ordinator Non-Governmental Organisations Forum (NANGOF) Namibia

Mrs Priscilla Kare

Head YWCA Papua New Guinea

Mr Mustapha Carrayol

.../2

Mr Jeremiah Matoke Matagaro

Commissioner Electoral Commission of Kenya (ECK) Kenya

Ms Hajra Mungula

Steering Committee Member Tanzania Youth Coalition (TYC) Tanzania

Hon Dr Eastlyn McKenzie MP

Independent Senator Trinidad and Tobago

Ms Marie Neilson

Australian Electoral Officer & State Manager for Tasmania Australian Electoral Commission Australia

Mr P.M. Siriwardhane

Deputy Commissioner Department of Elections Sri Lanka

Mr Eli David Turk

Chairman of the Board Human Rights Internet (HRI) Canada

The Observer Group will be supported by a Staff Team from the Commonwealth Secretariat:

Prof Ade Adefuye (Staff Team Leader) Mr Jarvis Matiya Mr Linford Andrews Mr Julius Mucunguzi Ms Saiqa Awan

We have written in similar terms to the High Commissioner of The Gambia in London so that the Government is fully informed.

Mr Mustapha Carrayol

I also wish to inform you that I am sending a two-person team of Advance Observers ahead of the main Observer Group. This 'Advance Team' will consist of Ms Daphne de Klerk and Ms Hajra Mungula, respectively the former Co-ordinator of the Non-Governmental Organisations Forum (NANGOF) in Namibia and Steering Committee Member of the Tanzania Youth Coalition. They are due to arrive in Banjul later this week.

I am aware that the Political Affairs Division at the Secretariat has been in communication with you regarding all the necessary arrangements.

I trust this information is of assistance.

Don McKinnon

Mr Mustapha Carrayol Chairman Independent Electoral Commission 7 Kairaba Avenue Banjul THE GAMBIA

Fax : +220 437 3803

ANNEX THREE

COMPOSITION OF THE COMMONWEALTH OBSERVER GROUP

Dr Salim Ahmed Salim (United Republic of Tanzania – Chairperson)

Dr Salim concluded his term of office as Secretary-General of the Organisation of African Unity on 17 September 2001, after serving an unprecedented three terms covering a period of twelve years. Prior to that he had occupied different positions in his country including as Minister for Foreign Affairs, Deputy Prime Minister and Minister for Defence and National Service and Prime Minister. He is now involved in several activities. He has functions and responsibilities at national, continental and international levels. At the national (Tanzania) level he is serving as the Chairman of the Board of Trustees of the Mwalimu Nyerere Foundation. He is also the Chancellor of the Hubert Kairuki Memorial University. At the continental level he has served as the African Union Special Envoy and Chief Mediator for the Inter-Sudanese Political Talks on Darfur. continues to serve as Chairperson, Advisory Board, Institute of Security Studies (ISS) based in Pretoria, South Africa; Chairperson of the International Board of Trustees, African Humanitarian Action (AHA) and Chairperson of the International Board of Trustees of the African Child Policy Forum, both of which are based in Addis Ababa, Ethiopia; and Member and Chairperson of the Advisory Board of Trustees of the Institute of Peace, Leadership and Governance, Africa University, Mutare, Zimbabwe. At international level Dr Salim has served as a member of the Commonwealth Expert Group on Democracy and Development (March 2002 to July 2003). He was the Chairman of the Commonwealth Observer Group for the National Assembly and Presidential Elections in Nigeria in April 2003. From September 2003 to September 2005 he served as Member of the High Level Panel on Threats, Challenges and Change appointed by the United Nations Secretary General. He is a Member of the South Centre Board based in Geneva.

Hon Akua Dansua MP (Ghana)

Hon Akua Dansua is a Member of Parliament from Ghana and presently Second Deputy Minority (Opposition) Whip. She is a journalist by profession. At the peak of her career in 1991 she won the coveted Dag Hammarskjold Fellowship as the most promising journalist from Africa that year, after winning an essay competition organised by the United Nations Correspondence Association. For her prize Hon Dansua spent three months at the UN reporting on the 41st session of the General Assembly. She has represented her country and parliament on several important delegations, including to the globally-acclaimed Fifth International Conference on Women, in Beijing, China in 1995; a Global Conference on Governance in Manila, Philippines in 1998; the celebration of the 50th Anniversary of Democracy in India at the Lok Sabha in 2003; and the Beijing +10 Review Meeting in the United Nations in 2005. She was a one-time media consultant for UNDP Ghana, as well as a parliamentary correspondent in Ghana's Parliament. She is a gender and children's rights activist with great interest in NGO activities, especially those on gender, development and

HIV/AIDS. She is a member of several international associations including the World Bank Network of Parliamentarians, e-Parliament Network, the newly-established Coalition of African Parliamentarians Against HIV/AIDS (CAPAH) and the African Parliamentarians Network Against Corruption (APNAC) Ghana Chapter, for both of which she is Secretary. Hon Dansua is presently pursuing a two year Executive Masters Programme on Governance and Leadership at the Ghana Institute for Management and Public Administration (GIMPA). She has had two previous experiences in election observation, with ECOWAS in Sierra Leone (2002) and Togo (2006).

Ms Daphne de Klerk (Namibia)

Ms de Klerk has been actively involved with Namibian civil society, prior to and after the country's independence in March 1990. She became a member of the first resident acting group hosted by the National Theatre, shortly after independence. The group was funded by the World Health Organisation in partnership with the Namibian Government, with the primary focus of raising awareness about HIV/AIDS and related diseases amongst the nation at large. From 1991 to 1996 Ms de Klerk was a Board member for NASCAM, an umbrella body which protects the rights of artists and musicians at a national level. From 1996 to 2000 she worked as a Policy Advocacy Officer for the Urban Trust of Namibia, followed by a stint at the Namibia NGO Forum (NANGOF) from 2000 to Since 2002 Ms de Klerk has represented Namibia at different fora, including: Council member of SADC-CNGO (SADC Council of NGOs), a body effective interactions working towards promoting between parliamentarians and civil society (2002-2006); representing civil society at SADC Parliamentary Forums, specifically election related issues (2002–2005); Chairperson for the NVA (National Volunteer Association), initiated and funded by UNDP (2003-2004); assisting with the finalisation of PEMMO (Principles of Election Monitoring and Management), a guide for civil society organisations and Commissions in the SADC region (2002–2004); and as Chairperson for SADC-ESN (SADC Electoral Support Network), a network for civil society organisations aimed at strengthening and promoting democratic elections through national Ms de Klerk has observed elections in many countries, networks (2005). including Malawi, Mozambique, the Untied Republic of Tanzania, Mauritius and South Africa. She has prepared and assisted Namibian civil society organisations with training on observation, in partnership with EISA, the US Embassy and the Finnish Embassy. Ms de Klerk also assisted in the preparations for the 2006 DRC elections, through the Electoral Institute of Southern Africa (EISA).

Mrs Priscilla Kare (Papua New Guinea)

Mrs Priscilla Kare is the National General Secretary of the Young Women's Christian Association (YWCA) in Papua New Guinea, and is currently the Chairperson of the National Informal Sector Committee, a sectoral committee of the Consultative Implementation and Monitoring Council (CIMC), which is the Government's Poverty Reduction Strategy. She is a former Chairperson of the Family and Sexual Violence Action Committee, which was responsible for amendments to the Criminal Code of Papua New Guinea with regard to the parts of the Sexual Offences and Evidence Act which concerned women and children. She was also NGO Focal Point in the Law and Justice Sector, an award winning broadcaster and occasional host of the YWCA Radio programme on national

radio. She has facilitated and chaired many meetings in-country and is also an advocate of social, political and economic injustices on violence, human rights and gender inequality, including HIV/AIDS in development priorities. She has been recognised by the Prime Minister of New Zealand through sponsorship for a Harvard University course on *Leaders in Political and Economic Reforms* in 2006.

Hon Senator Dr Eastlyn McKenzie MP (Trinidad and Tobago)

Hon Senator Dr Eastlyn McKenzie is an independent Senator and a member of the Executive Committee of the Trinidad and Tobago Branch of the Commonwealth Parliamentary Association. Appointed to the Senate of the Republic of Trinidad and Tobago in 1995 by the late former President of the Republic, Justice Noor Hassanali she was re-appointed by his successor, Mr Arthur N R Robinson, and re-appointed by his successor His Excellency Professor George Maxwell Richards, President of the Republic of Trinidad and Tobago. She has experience as a primary school teacher, community development officer and education extension officer. His qualifications include a Trinidad and Tobago Teachers' Diploma; Community Development Diploma, M. Ed – Adult Education and Community Development (University of Manchester, England); Ed. D Human Resource Development (The George Washington University, USA). McKenzie resides in Tobago, the smaller island of the twin island republic of Trinidad and Tobago. She has extensive experience in community work in Tobago, involving village and community organisations, youth groups, women's groups and groups catering for handicapped children.

Mr Jeremiah M Matagaro (Kenya)

Mr Jeremiah M Matagaro, a career civil servant, is a Commissioner with the Electoral Commission of Kenya. He served in the Kenya Police Force, the Ministry of Education, Ministry of Local Government and the Attorney General Chambers in different capacities, rising to the post of Senior Deputy Secretary before being appointed Permanent Secretary, Ministry of Justice and For several years he was a member of the Kenyan Constitutional Affairs. delegation to several meetings on the Revival of the East Africa Community; the Harmonisation of East African Community Laws; the Kenya-Ethiopia Peace Northern Corridor meetings on the ratification implementation of the Ottawa Treaty on Landmines; and a Transparency International meeting in Korea. Mr Matagaro also led the Kenyan delegation to the international meeting in Kigali to mainstream traditional courts (Gachacha courts) in the Rwandese judiciary system the United Nations Office on Drugs and Crime (UN D&C) in Addis Ababa (where he was unanimously elected the Vice-President of Africa), and meetings in Mongolia on Strategies of Democracy and Development, in Rome on public procurement policy strategy and reform and in South Africa and Namibia on fraud investigation. Mr Matagaro mainstreamed HIV/AIDS activities in the core functions of the Ministry of Local Government, the Attorney General's Chambers and the Ministry of Justice and Constitutional Affairs and headed their AIDS Control Units (ACUs). He played a pivotal role in the co-ordination and implementation of a Governance, Justice, Law and Order (GJLOs) Programme which involved development partners, civil societies and five government ministries. He is a board member of two secondary schools, and participated in election observation during the February 2006 Presidential and Parliamentary elections in Uganda.

Ms Hajra Mungula (United Republic of Tanzania)

Ms Mungula is a second year university student taking her Bachelor in Law at Tumaini University Dar-es-Salaam College (TUDARCO) in Dar-es-Salaam, United Republic of Tanzania. She is also a Diploma holder in International Relations and Diplomacy obtained from the Centre for Foreign Relations and Diplomacy (CFR), also in Dar-es-Salaam.

Ms Mungula is actively involved in youth matters in her country and internationally. She is currently a steering committee member of the Tanzania Youth Coalition (TYC) and also serves as Deputy Youth Mayor of Kinondoni Youth Council in Dar-es-Salaam. Ms Mungula is also involved in the Global Partnership Initiative (GPI), which is an initiative of UN-Habitat focusing on youth. Under TYC Ms Mungula worked with UNICEF-Tanzania in 2004, forming part of a five-person team of young consultants who carried out a consultation in different regions of Tanzania on the Mid-Term Review of the Six Years Programme between the Tanzanian Government and UNICEF-Tanzania. The consultation was on the participation of young people in development matters. Under the same youth coalition, Ms Mungula had also been in the forefront of capacity building among the Tanzanian youth on the National Strategy for Economic Growth and Poverty Reduction (NSGPR), commonly known as MKUKUTA.

She has also been Tanzania's youth representative in different forums such as the African Development Forum in Addis Ababa, the Africa Unite Symposium in Addis Ababa and the World Urban Forum in Vancouver, Canada.

Ms Marie Neilson (Australia)

Ms Marie Neilson is the State Manager for Tasmania with the Australian Electoral Commission, where she has worked in electoral administration and management roles for over 20 years. She has served as a member of international election observation missions in Namibia (1989) and Bougainville (2005).

Mr P M Siriwardhane (Sri Lanka)

Mr P M Siriwardhane is a member of the Sri Lanka administrative service. He joined the Department of Elections as an Assistant Commissioner in 1978 and is currently Deputy Commissioner of Elections. He has participated in studies of elections processes in the United Kingdom (1997), Indonesia (1999) and Australia (1999) as a member of the Association of Asian Elections Authorities.

Mr Eli Turk (Canada)

Mr Eli Turk is Chairman of the Board of Human Rights Internet (HRI), an international human rights NGO based in Ottawa, Canada. HRI has established relationships with several organisations based in The Gambia including the National Council for Civic Education (NCCE) responsible for voter education in The Gambia. Mr Turk is also Vice-President of the Canadian Electricity Association (CEA).

Mr Turk has been involved in elections at the municipal, provincial and federal levels in Canada for more than 25 years. He has worked as a member of the United Nations Mission in Kosovo (UNMIK) Presidential Election Supervision

Team. As a freelance journalist he has reported on elections in Asia and Latin America. As chief agent for the Inuit (Canada's Northern people) during a national constitutional referendum, he managed a campaign area over 5,000 km wide across Canada's Arctic.

Mr Turk has been Vice-President Business Development and a member of the management team of Alcatel Canada and Director of Business Development for Newbridge Networks, both telecommunications firms. He was senior policy adviser to Canada's Minister of Industry (subsequently Deputy Prime Minister). He has been Director of Policy and Programmes and constitutional negotiator for Canada's national Inuit organisation.

He has also been a research fellow at Harvard University Belfer Centre for Science and International Affairs. Mr Turk has degrees in finance, international affairs and public administration from the University of Ottawa and Harvard University, where he was awarded a Littauer Fellowship for academic excellence. In 2001, he was named a 'Top 40 Under 40' businessperson by the Ottawa Business Journal.

Secretariat Support Staff

Professor Ade Adefuye Team Leader

Mr Jarvis Matiya Assistant to Observers Mr Linford Andrews Assistant to Observers

Mr Julius Mucunguzi Assistant to Observers and Press Officer
Ms Saiqa Awan Administrative Assistant and Financial Officer

ANNEX FOUR

NEWS RELEASE ISSUED IN LONDON AND BANJUL

11 September 2006



06/45

11 September 2006

ANTIGUA AND BARBUDA AUSTRALIA THE BAHAMAS BANGLADESH BARBADOS BELIZE BOTSWANA

BOTSWANA
BRUNEI DARUSSALAM
CAMEROON
CANADA
CYPRUS

DOMINICA FIJI ISLANDS THE GAMBIA GHANA GRENADA GUYANA INDIA

JAMAICA KENYA KIRIBATI LESOTHO MALAWI MALAYSIA MALDIVES MALTA

MAURITIUS MOZAMBIQUE NAMIBIA NAURU* NEW ZEALAND NIGERIA

PAKISTAN PAPUA NEW GUINEA ST KITTS AND NEVIS ST LUCIA ST VINCENT AND THE GRENADINES

SEYCHELLES
SIERRA LEONE
SINGAPORE
SOLOMON ISLANDS
SOUTH AFRICA
SRI LANKA
SWAZILAND

SAMOA

TONGA
TRINIDAD AND
TOBAGO
TUVALU
UGANDA
UNITED KINGDOM

UGANDA UNITED KINGDOM UNITED REPUBLIC OF TANZANIA VANUATU ZAMBIA

> *Nauru is a special member

Former Prime Minister of Tanzania to lead Commonwealth Observers for the Presidential Election in The Gambia

Commonwealth Secretary-General Don McKinnon today announced that the Commonwealth Observer Group for the Presidential Election in The Gambia will be led by Dr Salim Ahmed Salim, former Prime Minister of Tanzania and former Secretary-General of the Organisation of African Unity, now called the African Union.

Mr McKinnon said that the Observer Group has been established in response to an invitation from the Government of The Gambia. It will consist of 10 eminent persons, supported by five Commonwealth Secretariat staff. The other Observers are:

Hon Akua Dansua MP Member of Parliament Ghana

Ghana

Mrs Priscilla Kare

Head YWCA

Papua New Guinea

Ms Hajra Mungula Steering Committee Member

Tanzania Youth Coalition (TYC) Tanzania

Ms Marie Neilson

Australian Electoral Officer & State Manager for Tasmania Australian Electoral Commission Australia

Mr Eli Turk

Chairman of the Board Human Rights Internet (HRI) Canada

Namibia

Ms Daphne de Klerk Former Co-ordinator Non-Governmental Organisations Forum (NANGOF)

Mr Jeremiah M. Matagaro

Commissioner Electoral Commission of Kenya (ECK) Kenya

Hon Dr Eastlyn McKenzie MP

Independent Senator Trinidad and Tobago

Mr P.M. Siriwardhane

Deputy Commissioner Department of Elections Sri Lanka

1/2

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The Secretariat support staff will be led by Professor Ade Adefuye, Head of the Africa Section, Political Affairs Division. An Advance Team consisting of two observers has been present in The Gambia since 1 September 2006 and will report to the main Observer Group on arrival.

The Observers have been invited in their individual capacities and the views they express regarding the elections will be their own and not those either of their respective governments or of the Commonwealth Secretariat.

At the end of its work, the Group will submit its report to the Commonwealth Secretary-General. He will then transmit it to the Government of The Gambia, The Gambia Independent Electoral Commission and the political parties taking part in the elections. The Secretary-General will thereafter circulate copies to all Commonwealth governments, following which the report will be made public.

Note to Editors

The Observer Group will start work on 18 September 2006, when it will hold a press conference at Hotel Kairaba, Kololi, at 9 a.m.

An Assessment Mission from the Commonwealth Secretariat visited The Gambia last month and established that there was broad support in the country for the presence of Commonwealth Observers.

The Terms of Reference for the 2006 Observer Group are:

The Group is established by the Commonwealth Secretary-General at the request of the Government of The Gambia. It is to observe relevant aspects of the organisation and conduct of the Presidential Election scheduled to take place on 22 September 2006, in accordance with the laws of The Gambia. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgement whether the conditions exist for a free expression of will by the electors and if the results of the elections reflect the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgement accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of such elections.

The Group is to submit its report to the Commonwealth Secretary-General, who will forward it to the Government of The Gambia, the Independent Electoral Commission, the leadership of the political parties taking part in the elections and thereafter to all Commonwealth Governments."

The Commonwealth Secretary-General sent a Commonwealth Observer Group to the last Presidential Election in The Gambia, held in 2001.

For media enquiries, please contact Julius Mucunguzi, Communications Officer, at the Kairaba Hotel in Kololi, The Gambia, at Tel: +220 446 5605 or Mobile: +220 9898524.

ARRIVAL STATEMENT

18 September 2006



NEWS RELEASE

ARRIVAL STATEMENT BY DR SALIM AHMED SALIM, CHAIRPERSON OF THE COMMONWEALTH OBSERVER GROUP

The Chairperson of the Independent Electoral Commission (IEC) of The Gambia invited the Secretary-General of the Commonwealth, the Rt Hon Don McKinnon to send a group to observe the Presidential Election to be held in The Gambia on 22 September 2006.

After receiving the invitation, the Secretary-General sent an Assessment Mission from 17 to 24 August 2006. The Assessment Mission met with the IEC, representatives of the main political parties, non governmental-organisations and other interested parties. Their mandate was to establish whether there was broad support for the presence of Commonwealth Observers during the election period, and to obtain guarantees from the IEC that they would have freedom of movement and access to polling stations and counting centres. They were also to obtain confirmation that they were free to pursue their mandate.

The Mission concluded that there would be broad support for the presence of Commonwealth Observers.

Following the report of the Assessment Mission, the Secretary-General sent an advance group of observers which has just concluded an extensive tour of The Gambia. The advance group had the opportunity of meeting people throughout the country including representatives of the political parties, the police, and electoral officials.

All the members of the Observer Group have now assembled in The Gambia. I have the honour and privilege to chair this Group of eminent Commonwealth citizens which consists of:

Hon Akua Dansua MP

Member of Parliament Ghana

Ms Daphne de Klerk

Former Co-ordinator Non-Governmental Organisations Forum (NANGOF) Namibia

Mrs Priscilla Kare

Head YWCA Papua New Guinea

Mr Jeremiah M. Matagaro

Commissioner Electoral Commission of Kenya (ECK) Kenya

Ms Hajra Mungula

Steering Committee Member Tanzania Youth Coalition (TYC) Tanzania

Hon Dr Eastlyn McKenzie MP

Independent Senator Trinidad and Tobago

Ms Marie Neilson

Australian Electoral Officer & State Manager for Tasmania Australian Electoral Commission Australia

Mr P.M. Siriwardhane

Deputy Commissioner Department of Elections Sri Lanka

Mr Eli Turk

Chairman of the Board Human Rights Internet (HRI) Canada

The Observers have been invited in their individual capacities and the views they express regarding the elections will be their own and not those either of their respective governments or of the Commonwealth Secretariat. The Group will act in an impartial manner and will abide by the laws of The Gambia.

The group is assisted by a Commonwealth Support Team led by Professor Ade Adefuye, Head of the Africa Section, Political Affairs Division. The other members of the team are: Mr Linford Andrews, Mr Jarvis Matiya, Mr Julius Mucunguzi and Ms Saiqa Awan.

We are all pleased to be in The Gambia for the Presidential Election. The Commonwealth's engagement with The Gambia has been a long-standing one. A Commonwealth Observer Group was present for the last Presidential Election in October 2001. Since then, the Commonwealth has continuously engaged The Gambian stakeholders in the effort to promote and strengthen democracy.

We have been mandated to observe relevant aspects of the organisation and conduct of the elections. We will consider all the factors impinging on the credibility of the electoral process as a whole. Our two key tasks are to determine, in our judgment, whether the conditions exist for a free expression of will by the electors, and if the results of the elections reflect the wishes of the people.

We have met with the IEC to be briefed on the arrangements for the election. We have also met with a cross section of various NGOs and domestic observers. We will later today meet representatives of political parties, international observers and members of the diplomatic corps.

On Wednesday, we will deploy around the country. After we have witnessed the end of the campaign, the election day, the count and as much of the result process as we can see, we will re-assemble in Banjul to compile our report which we will complete and sign here, prior to our departure on 29 September 2006.

Our report will be submitted to the Commonwealth Secretary-General, who will in turn forward it to the Government of The Gambia, the IEC, the political parties participating in the election and then to all Commonwealth Governments. The Report will subsequently be made publicly available both here in The Gambia and throughout the Commonwealth, in printed form and on the website of the Commonwealth Secretariat.

The Kairaba Hotel Kololi 18 September 2006

ANNEX SIX

SCHEDULE OF ENGAGEMENTS

Friday 15 September	Briefing by Preparatory Team (Mr Linford Andrews and Ms Saiqa Awan)	1945 to 2045
	Briefing by Advance Observers (Ms Daphne de Klerk and Ms Hajra Mungula)	2045 to 22h15
Saturday 16 September	Security Briefing Deputy Inspector-General of Police	0900 to 1000
	Africa in Democracy and Governance (ADG) African Centre for Democracy and Human Rights Studies Amnesty International Foundation for Legal Aid, Research and Empowerment (FLARE) Foundation for Partnership, Reflection and Dialogue for Development (FOPRADD) Interfaith Group for Peace and Dialogue International Society for Human Rights (ISHR) National Civil Society Steering Committee Pro Poor Advocacy Group (PRO-PAG) Simma Vocational Training and Women Resource Centre Social Development Fund (SDF) The Gambia Media Training Centre (MTC) The Gambia Press Union The Gambia Red Cross Society The Gambia Teachers Union The Gambia Workers' Confederation West Africa Network for Peacebuilding (WANEP) Women in Service Development Organisation and Management (WISDOM) Worldview The Gambia YMCA	1015 to 1115

NGO umbrella body – The Association of 1130 to 1230 Non-Governmental Organisations (TANGO)
Bishop of The Gambia

Actionaid The Gambia Africa in Democracy and Governance (ADG) Amnesty International International Society for Human Rights (ISHR) People Against Injustice (PAIN) Pro Poor Advocacy Group (PRO-PAG) RAID - The Gambia The Gambia Human Rights Society The Gambia Workers' Confederation **Gender NGOs** 1515 to 1615 Women in Service Development Organisation and Management (WISDOM) **YMCA YWCA Youth NGOs** 1630 to 1730 National Youth Parliament **YMCA** Youth Action for Food Self-Sufficiency and Education (YAFSSE) Civic/Voter Education bodies 1715 to 1815 National Council for Civic Education (NCCE) Sunday 17 Arrival of Chair September Independent Electoral Commission (IEC) 1500 to 1630 Media organisations 1715 to 1815 AFP AITV/TV 5 **BBC** Daily Observer Foroyaa Gambia News and Report Magazine Gambia Radio and Television Service (GRTS) Radio 1 FM Radio France International SUD FM Radio The Gambia Press Union The Point West Coast Radio

1400 to 1500

Human Rights NGOs

		0000 1 1000
Monday 18 September	Arrival Press Conference	0900 to 1000
	Political Parties	1030 to 1130
	Alliance for Patriotic Re-orientation and Construction (APRC)	
	National Alliance for Democracy and Development (NADD)	1145 to 1245
	United Democratic Party/National Reconciliation Party/Gambian People's Democratic Party (UDP/NRP/GPDP)	1415 to 1515
	Other international observers ECOWAS Observer Group	1530 to 1630
	Commonwealth High Commissioners/ Ambassadors/International Organisations ¹¹ Representatives of UK Department for International Development, ECOWAS, the European Commission, France, IFES, Liberia, Mauritania, Federal Republic of Nigeria, Senegal, Sierra Leone, Taiwan, United Nations Development Programme, United Kingdom, United States, West African Civil Society Forum (WACSOF)	1645 to 1800 1830 to 2030
Tuesday 10	Deployment building	0000 to 1020
Tuesday 19 September	Deployment briefing	0900 to 1030
	Briefing by Independent Electoral Commission for domestic and international observers	1500 to 17h00

¹¹ The Observer Group also had a debriefing session with this group on Monday, 25 September 2006 at which the following additional individual persons and organisations were present:

General Abdul Salami Abubakar, UN Secretary-General's Special Envoy to The Gambia
 United Nations Department of Political Affairs

ANNEX SEVEN

DEPLOYMENT OF COMMONWEALTH OBSERVERS

Team members

Banjul Dr Salim Ahmed Salim

Prof Ade Adefuye

Banjul (2nd team) Hon Senator Dr Eastlyn McKenzie MP

Mr Julius Mucunguzi

Brikama Ms Marie Neilson

Mr Linford Andrews

Basse Santa Su Mr P M Siriwardhane

Ms Hajra Mungula

Farafenni Mrs Priscilla Kare

Mr Jarvis Matiya

Janjanbureh Hon Akua Dansua, MP

Mr Eli Turk

Kanilai Mr Jeremiah M Matagaro

Ms Daphne de Klerk

INTERIM STATEMENT

23 September 2006



INTERIM STATEMENT BY DR SALIM AHMED SALIM CHAIRPERSON OF THE COMMONWEALTH OBSERVER GROUP

The results process has begun. It is yet to be concluded. The group would like me to express on its behalf our initial impression of the exercise.

We deployed seven groups of two persons each to the seven administrative divisions of the country on the 20 September to observe the 2006 Gambian Presidential Election. Our teams were stationed in Banjul, Brikama, Basse Santa Su, Farafenni, Janjanbureh and Kanilai. As Chairperson, I visited as many centres as possible. We established working relationships and exchanged information with other International Observers and local Observer Groups. Our teams sought to obtain a representative sample of the process so as to enable us to arrive at a broad overview.

Each of our groups was present for the opening of the Polling Stations and observed throughout the day at as many Polling Stations as possible. We watched the process of the closing of the voting. Where possible, our observers tracked the process of conveying the ballot drums to the counting centres and watched the counting.

We were impressed by the enthusiasm with which the Gambian people exercised their democratic rights. We noticed that even before 7am, voters queued up at Polling Stations in a peaceful and orderly manner. Polling Officials demonstrated a considerable amount of professional competence in dealing with the few problems that arose. The register seemed to have been adequately compiled and we observed very few cases of voters not finding their names on the register and/or counterfoil. The secrecy of the ballot was assured. Security Officers were present at most Polling Stations and were not intrusive. By and large, our observers witnessed assistance being provided to the aged, expectant mothers and physically challenged voters. Party Agents at most of the Polling Stations expressed satisfaction with the way in which the voting and counting was conducted.

The Independent Electoral Commission deserves to be congratulated for a job well done.

On the basis of the above, we are inclined to conclude that on the Election Day, the process was well organised and things went smoothly. The voters were able to express their will and the result will reflect their wish.

A Presidential Election is a process. We have been made to be aware of events in the lead up to the Election Day which might have impacted on the outcome. The timing of the President's *Dialogue with the People Tour* and the open demonstration of support by public officers for a particular party, especially those in the security services, have the potential of affecting the level of the playing field. These as well as other manifestations of abuse of incumbency will be considered and form a part of our overall judgement on the entire process.

This election was held amidst the background of a Commonwealth brokered Memorandum of Understanding (MOU) for political parties as concluded on 2 September 2005. That understanding created an atmosphere conducive for the strengthening of the democratic process in The Gambia. Significantly, all the political parties who have met with us declared their recognition of and support for the MOU. It is nonetheless a fact that the MOU has not been adhered to. It is our considered judgement that whatever the outcome of the election, in the interest of stability, understanding and cooperation, the political parties should endeavour to adhere to the spirit and letter of the MOU.

Our observers have started returning to Banjul. We will immediately commence the preparation of our final report which will also include recommendations for the improvement of the process. It will be completed before our departure from Banjul on the 29 September 2006.

The Kairaba Hotel Kololi

23 September, 2006

ANNEX NINE

COMMONWEALTH-BROKERED MEMORANDUM OF UNDERSTANDING

September 2005

MEMORANDUM OF UNDERSTANDING BETWEEN THE ALLIANCE FOR PATRIOTIC REORIENTATION AND CONSTRUCTION (APRC) AND THE NATIONAL ALLIANCE FOR DEMOCRACY AND DEVELOPMENT (NADD) AND OTHER POLITICAL PARTIES

IN THE GAMBIA

Recognising, that a peaceful and stable political environment, underpinned by a transparent, plural and democratic political dispensation, is vital for The Gambia's future prosperity and for the happiness and well-being of its people;

recognising too the legitimacy of the present government and its right to govern within the Constitution and the laws of the land on the one hand; and the rights of the political opposition to operate freely and to hold the government to account on the other hand;

conscious of the dignity and respect that pertains to the office of the President of the Republic, as Head of State, as well as the role of the political opposition as important partners in national construction and development;

aware that dialogue and co-operation between political parties and a constructive national conversation with the Gambian people represent key cornerstones in the consolidation of democracy in The Gambia;

we, the leaders of the Alliance for Patriotic Reorientation and Construction (APRC), being the governing party in The Gambia, and the National Alliance for Democracy and Development (NADD) and other political parties, do hereby agree to put the past behind us, and in the higher interest of The Gambia, to work constructively towards national reconciliation and the consolidation of democracy, respect for human rights, the rule of law and good governance in The Gambia.

We further agree in this context to work positively and co-operatively towards the holding of transparent and credible elections for the presidency in 2006, in which the will of the people will be reflected and accepted by all the contesting political parties and the people of The Gambia.

To these ends we agree to the following Code of Conduct, alongside that of the Independent Electoral Commission (IEC), to guide our activities in general and our conduct in the lead up to the 2006 Presidential elections in particular:

CODE OF CONDUCT

1. Compliance with the Law

A party that has subscribed to this Code will adhere to the Constitution and the existing laws of The Gambia, including the electoral laws, rules and regulations.

2. The Conduct of Political Activities

A party that has subscribed to this Code will:

- respect the right of all other parties to campaign freely and to cisseminate their political ideas and principles without fear;
- respect freedom of speech, of the press, of assembly and of peaceful demonstration;
- refrain from disrupting or frustrating the legitimate activities of other political parties, including the holding of political rallies, meetings, marches or demonstrations; and
- refrain from defacing or destroying the posters, leaflets and handbills of other political parties and their candidates;

Language

A party that has subscribed to this code will:

- organise and conduct its activities at all times in a manner that contributes towards a congenial and peaceful atmosphere.
- avoid using inflammatory or defamatory language; and
- not in any way threaten or incite violence in any form against any person or groups of persons.
- A party that subscribes to this Code will not issue, either officially or anonymously, pamphlets, newsletters or posters containing language or material that threatens or incites violence.

4. Violence and Intimidation

A party that subscribes to this Code accepts that intimidation in any form is unacceptable, and will:

- issue directives expressly forbidding its officials, candidates, members and supporters from intimidating any person at anytime;
- campaign against violence, and against all acts of vandalism or public disorder committed or threatened by their officials, candidates members or supporters; and
- respect other competing parties, persons and their properties.

5. Abuse of Office

A party to this Code will not:

- abuse a position of power, privilege or influence for a political purpose, including by offering a reward or threatening a penalty;
- use official state or public resources, including public servants, for campaign purposes.

6. Acceptance of the Outcome of Transparent and Credible Elections

A party that subscribes to this Code will:

- accept the outcome of an election that has been certified by the competent authority or submit any grievance only to the competent dispute settlement agency provided by law; and
- accept and comply with the decisions of the competent dispute settlement agency.

7. Dialogue and Co-operation

A party that has subscribed to this Code will:

- make every effort to maintain communications with other political parties and with the Independent Electoral Commission;
- participate constructively in the inter-party committee (see Item 9 below) established as a forum for dialogue and co-operation between political parties and to promote adherence to this Code.

8. Compliance with the Code of Conduct

A party that has subscribed to this Code:

is bound by the Code;

- will take steps to prohibit leaders, officials, candidates, members and supporters from infringing the Code;
- will take all necessary steps to promote and ensure adherence to the Code; and
- will not abuse the right to complain about violations of the Code, or make false, frivolous or vexatious complaints.

9. Inter-Party Committee

We agree to establish an Inter-Party Committee, comprising representatives of political parties, as a forum for dialogue and co-operation and to promote adherence to this Code and national reconciliation in general.

We agree that the Inter-Party Committee shall initially comprise five representatives each from APRC and NADD and one each from the National Convention Party (NCP) and the Gambian Party for Democracy and Progress (GPDP).

The Inter-Party Committee shall meet once a week during the official election campaign period (as declared by IEC) and once a month at other times. It could be convened at other times by the co-chairpersons.

We agree to work constructively with the IEC in monitoring and encouraging compliance with the Code.

We further agree that the Commonwealth, as represented by the Special Envoy of the Commonwealth Secretary-General, General Abdusalami A Abubakar, serve as the moral guarantor of this agreement.

Mr Edward Singhatey, Secretary-General of the APRC and Mr Halifah Sallah, Co-ordinator of the NADD will initially co-chair the Inter-Party Committee.

Done in Danjui this 2nd Day of September 2005
Signed:
For Alliance for Patriotic Reorientation and Construction (APRC)
For the National Alliance for Democracy and Development (NADD)

For the Gambian Party for Democracy and Progress (GPDP)	
For the National Convention Party (NCP)	• • • • • • • • • • • • • • • • • • • •
For the Independent Electoral Commission	
For the Commonwealth	

ANNEX TEN

CONSTITUENCY BOUNDARIES OF THE GAMBIA

Constituency	Electorate	% Variation from the Administrative Area Average	% Variation from the National Average
Constituency	Licotorate	711 ca 71verage	nverage
Banjul South	5,721	(13.72%)	(59.03%)
Banjul North Banjul Central	5,556 8,615	(16.21%) 29.93%	(60.22%) (38.31%)
BANJUL	19,892	29.93 <i>7</i> 0	(30.3170)
(average)	6,631		
(aronago)		J	
Bakau	14,569	(43.54%)	4.32%
Serrekunda West	28,419	10.14%	103.50%
Serrekunda East	32,623	26.43%	133.60%
Serrekunda Central	30,966	20.01%	121.73%
Jeshwang	22,437	(13.04%)	60.66%
KANIFING	129,014		
(average)	25,803	J	
Foni Jarrol	3,705	(79.63%)	(73.47%)
Foni Brefet	6,611	(63.65%)	(52.66%)
Foni Bintang	7,894	(56.59%)	(43.47%)
Foni Bondali	3,767	(79.29%)	(73.03%)
Foni Kansala	7,623	(58.08%)	(45.41%)
Kombo East	16,006	(11.99%)	14.61%
Kombo South	25,699	41.31%	84.02%
Kombo Central	34,410	89.21%	146.40%
Kombo North	57,960	218.70%	315.03%
BRIKAMA	163,675		
(average)	18,186		
Lower Niumi	19,971	47.81%	42.00%
Upper Niumi	12,530	(7.26%)	43.00% (10.28%)
Jokadu	10,259	(24.07%)	(26.54%)
Lower Baddibu	9,797	(27.49%)	(29.85%)
Central Baddibu	11,394	(15.67%)	(18.41%)
Illiassa	18,468	36.69%	32.24%
Sabach Sanchal	12,160	(10.00%)	(12.93%)
KEREWAN	94,579		(.=.,0,0,
(average)	13,511		

	47.504	04 4007	40.700/
Jarra West	16,581	91.40%	18.73%
Jarra Central	4,532	(47.69%)	(67.55%)
Jarra East	9,430	8.85%	(32.48%)
Kiang East	6,037	(30.31%)	(56.77%)
Kiang Central	6,246	(27.90%)	(55.27%)
Kiang West	9,153	5.65%	(34.46%)
MANSAKONKO	51,979		
(average)	8,663		
Janjanbureh	1,651	(83.02%)	(88.18%)
Namina West	4,160	(57.21%)	(70.21%)
Namina East	10,324	6.20%	(26.07%)
Namina Dankunku	3,574	(63.23%)	(74.41%)
Lower Fulladu West	17,466	79.67%	25.07%
Upper Fulladu West	22,611	132.60%	61.91%
Lower Saloum	8,112	(16.55%)	(41.91%)
Upper Saloum	11,148	14.68%	(20.17%)
Niani	11,376	17.02%	(18.54%)
Nianija	4,601	(52.67%)	(67.05%)
Sami	11,908	22.50%	(14.73%)
JANJANBUREH	106,931		
(average)	9,721		
Jimara	18,388	23.45%	31.67%
Basse	17,545	17.79%	25.63%
Tumana	15,283	2.60%	9.44%
Kantora	17,924	20.33%	28.35%
Sandu	12,574	(15.58%)	(9.96%)
Wulli West	11,701	(21.44%)	(16.21%)
_Wulli East	10,851	(27.15%)	(22.30%)
BASSE	104,266		
(average)	14,895		

ALL	
ADMINISTRATIVE	
AREAS	670,336
(average)	13,965

ANNEX ELEVEN

A BASIC GUIDE TO ELECTIONS

(NCCE Leaflet)

How are we going to get information about the different political parties?

You are going to see and hear a lot of politicians n towns and villages. They will come to your your church or Mosque. They will have their ready belong to any of the parties, you might be ngs and sometimes these meetings will be held homes; they will talk to you on buses, taxis, etc. They might even ask to come and talk to you in posters, badges, T-shirts, flags, and many other tems all over the place. This is called campaignng, and it is allowed under the law. They might ask you to ask others to vote for them. If you alon TV and radio. They will invite you to meetrequested to help them with their campaigning.

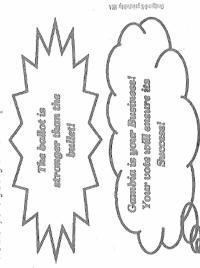
How are we going to know which meeting to attend, when, whom to listen to?

thers are also not allowed to instruct their wives What is important to remember is that nobody is Remember: You do not have to join a political party in order to vote for it. Husbands and fa-You need not attend all these meetings, but the allowed to force you to attend a meeting. Noport their party. The choice is yours and you more you attend the better informed you will be. body is allowed to force you to vote for or supmust be free to make that choice without fear. and children over 18yrs whom to vote for.



Why do they say this whole process is

your vote is secret. What you must remember is secret vote means you freely make up your own mind which party to vote for. No one has the right to know which party you voted for and no your son, not your daughter. That is why it is station and vote for the party of your choice. You need not tell anyone and nobody will be able to find out which party you voted for. A them. It is equally important to know that you cannot send your wife or anyone else to vote for called one-person one-vote. It also means one person can vote only once and their vote counts only once. The rich and the poor alike, the the sick, the young and the old, men and It is not the whole process that is secret. Only that after you have listened to all the political parties, you need not tell anyone whom you will vote for. On election day, just go to the voting one can find out how you voted unless you tell you. Not your friend, not your neighbour, not educated and the uneducated, the healthy and women, everybody's vote is equal.



A BASIC GUIDE TO ELECTIONS



THE NATIONAL COUNCIL FOR CIVIC EDUCATION (NCCE)

Moriel Food Programme Complex, Compley Road to: (220) 459704712 Fer: (220) 4067633 The Combie Karahana

Sand: interfreedom

International The Gambia MANAGES CONTRACTOR Thanks to

What are Elections?

Elections are the lifeblood of a democracy.

Democracy means rule by the people and democratic elections give you, the ordinary citizen, the chance to choose your representatives in government. The Constitution and laws of the country set out how regularly elections will be held. This ensures that government officials know that they will be held accountable for their actions and decisions and can be removed from office. Elections give you the chance to vote for someone else if you think that your representatives aren't making decisions that benefit you.

What types of elections are there in The Gambia?

There are three different types of elections in The Gambia which ensure that Gambia remains a democratic state that is truly representative and a servant of the people.

- Presidential elections which are held every five years for you to vote for the presidential candidate you think is best suited to the presidency.
- Legislative elections are also held every five years to elect National Assembly Members.
- Local authority elections are held every four years. A local authority is any city, municipal and provincial council.

Tolerance Strengthens our Democracy Be Tolerant!

What do I need to be able to Vote?

To be able to vote you must be a Gambian citizen of at least 18 years of age.

You must also be a registered voter. This means that you must have a voter's card which you must take to the voting station with you when you go to vote.

If you haven't registered as a voter or if you don't have your voter's card with you when you go to the voting station, you will not be allowed to vote.

Why should I vote in an election?

Voting is the most important democratic activity. Every citizen has the equal right to vote and elections allow you to express your political will. It is also your duty and responsibility to take an active role in democracy by voting. You must make sure that you have thought sincerely about your choice before you make it. When you do cast your vote, you have taken on the responsibility of deciding who will rule the country.

What is Voter Registration?

Voter Registration allows all citizens who are eligible to vote to register as voters. Eligible voters who have registered in a previous registration but have since moved from one constituency to another should make use of this opportunity to change the constituency on their voter's cards. Eligible voters must register in the constituency in which they live.

REGISTER TO VOTE - AND VOTE!

Why Voter Registration?

All Gambian who are 18 years or older should register to be able to vote in future elections. Voters will be issued with a new voter's card which is to be used for all elections in The Gambia. The card will feature a signature/thumbprint and photo of the card holder. These measures will ensure that cards cannot be used unlawfully.

How can I Register?

To be able to register, you must be able to prove your identity, age and your Gambian citizenship with your birth certificate, identity card or passport.

If you do not have any of these documents, you must produce a document certified by five elders residing in your place of birth stating that you were born in that place. Your photograph will be taken at the registration point at no cost to you. There is no waiting period for your voter's card; it will be issued to you at the registration point.

What will I get in return after I have voted for a political party?

There is no guarantee that the political party you voted for will win. The party that gets most of the votes will form the next government.

Elected Officials of Government make decisions that impact your Life. This is your turn now. Get involved!

ANNEX TWELVE

MEDIA CODE OF CONDUCT

CODE OF CONDUCT FOR ELECTION REPORTING

- 1. Journalists and Media Practitioners must report accurately without bias.
- 2. Journalists and Media Practitioners should not suppress essential information that does not pose a threat to national security.
- 3. Journalists and Media Practitioners should avoid using language or expressing sentiments that may further discrimination or violence on any grounds, including race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
- 4. Journalists and Media Practitioners must endeavour to uphold the ethics of the profession and must never reveal to any politician, the content of any news item before it is published.
- 5. Journalists and Media Practitioners should regard the following as grave professional offences:
 - Plagiarism.
 - Malicious misrepresentation.
 - Calumny, slander, libel or unfounded accusations.
 - Acceptance of a bribe in any form in consideration of either publication or suppression.
- 6. Journalists and Media Practitioners must educate the public on the policies and programmes of the various political parties in a manner easily understood.
- 7. Journalists and Media Practitioners should promote democratic values such as the rule of law, accountability and good governance.
- 8. Political Parties should be given equal air time, space and treatment in our print and electronic media houses during elections.
- 9. Journalists and Media Practitioners must always endeavour to uphold their social responsibilities and should protect national interest against individual interest.
- 10. The media should continuously educate and sensitise the public on the Memorandum of understanding (MOU) signed by different political parties, the Commonwealth and the Independent Electoral Commission (IEC).
- 11. The media should serve as watchdogs to ensure that stakeholders respect and uphold the Memorandum of understanding (MOU).
- 12. Journalists and Media Practitioners should endeavour to access relevant materials in order to provide the public with adequate information on their Civic Rights and duties.
- 13. Journalists must ensure that anything that violates the constitution is not published or broadcast.
- 14. During campaign or election period, journalists must not wear any campaign material of any political party.

ANNEX THIRTEEN

IEC MEDIA MONITORING UNIT EXTRACT

MEDIA MONITORING STATUS REPORT

September 5th to 15th

Media monitored

State owned GRTS TV, GRTS Radio

Print (private) The Observer The Point Foroyaa Broadcast (private) West Coast radio Kids with Talent (KWT)

The media in Gambia

Print

The Daily Observer is Gambia's first daily newspaper. The Point, established in December 1991, and The Independent in July 1999 first started publication twice weekly and The Point later became a daily. The Independent went out of circulation as a result of an arson attack on its premises when its offices and printing press were burnt down. Publication restarted but, in March 2006 it was closed down again by the authorities.

The Gambia News and Report and Foroyaa are weeklies. There are five private newspapers and one government owned newspaper.

Circulation (up to 5000) is limited to the urban areas where the majority of the readership resides. However, some of the papers make the effort to sell their papers in the urban growth towns of the rural areas. Due to high illiteracy levels, most of the non-literate get the literate readers to read the news to them. It is believed that for every paper printed, there are about ten readers/end users.

Broadcast

Radio Gambia is the state owned public station and was the main source of information broadcast to inform, educate and communicate. It was widely perceived to be reliable by the listeners. Radio Syd, one of the oldest private radio stations started in the sixties and was followed by Radio 1 FM and Citizen FM. The latter was closed down by Government, under charges of non-payment of taxes.

Other radio stations are West Coast, City Limits and Sud FM concentrate more on entertainment, education, sports and cultural programs. West Coast however links up to BBC for World News and Focus on Africa. Sud FM was since been closed down by Government in 2005 for "negative remarks against Senegal, a neighboring state." Kids with Talent (KWT) a children's radio station targets child listeners and produces children's programs in line with global commitments of promoting child participation.

A number of community radio stations exist in Brikama, Brikamaba, Kerewan, Basse and Farafenni. These are localized and respond to local conditions as they use mostly the local languages.

The only television station GRTS (TV) started operations in 1995/6. Although it is state owned, airtime can be bought therefore, many of its programs are paid for.

The Electoral Commission directives for the media

The Elections Decree 78 (1996) mandates the IEC in its PART VI (articles 94, 95 etc) to ensure that political parties running have equitable access to state owned media outlets (GRTS TV and GRTS Radio) as well as at least 5 minutes on private outlets. The IEC in effect brokers airtime purchase between media outlets and political parties.

A Code of Conduct for the Media was produced by reporters and IEC on September 5th 2006 to frame the expectations of both sides during this election campaign.

The regulated access time is to be broadcast as follows by GRTS TV and GRTS radio:

- 30 minutes of political rally coverage per party daily
- 10 minutes broadcast of direct access to voters per party/candidates daily

Media Monitoring Methodology

Who

Two media monitors are observing the print and the electronic media of The Gambia.

How

By filling out monitoring sheets, one per news piece or article. The monitoring sheets are used to quantify and qualify the news item by outlet, position of the news [editorial/commentary, main story, second story etc], size [centimeters or seconds], and source [news agency, own reporter etc].

The quantity of coverage is based on the frequency of references to one party in one newscast or article, and also based on the size or length of the news story. It is calculated in seconds for the electronic media, in square centimeters for the print media.

The Free Access programs on GRTS TV and GRTS Radio are timed.

The sensitive 'quality' of coverage is based on the presentation of the party: neutral coverage is factual, positive coverage is noted when there is a clear positive bias on the part of the media outlet when mentioning the party, and negative when the bias toward the party is clearly negative.

Also, a particular emphasis was created for the Media Monitoring in The Gambia. We have chosen to focus on additional topics:

- Women in elections
- Youth
- IEC
- · Direct appeals "Vote for such and such party"

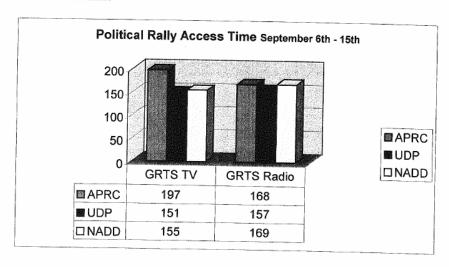
The same methodology is used to highlight the four special focus topics.

Findings abstract:

- ✓ Political Rallies Regulated access on GRTS TV shows a clear advantage to APRC
- Based on our findings, GRTS radio does not broadcast the IEC political platform regulated access programs at least at a convenient hour.
- Newscasts on GRTS TV gives overwhelming precedence to APRC, but also mentions UDP and NAAD.
- Newscasts on GRTS radio, if more equitable between APRC and NAAD, but do not mention UDP.
- ✓ Private radio stations do not carry a minimum 5 minutes coverage of the elections, as required by the Electoral decree.
- ✓ There is no direct negative portrayal (in context and presentation) on GRTS radio and TV.
- The print media is intensely covering the candidates' campaign.

FINDINGS

1. Public TV and radio mandatory broadcast Chart one: Access time Political Rallies



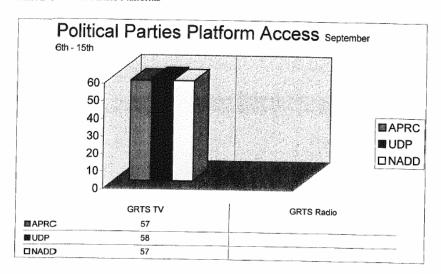
Remarks:

- APRC gets more time coverage on TV, to the disadvantage of the UDP and NAAD. NAAD and APRC are given somewhat equal coverage, to the disadvantage of UDP.

Notes

☐ The UDP political rally coverage on September 12th was interrupted to broadcast a soccer game, hence cutting the UDP broadcast after 17 minutes.

Chart 2 Political Parties Platforms



Remarks

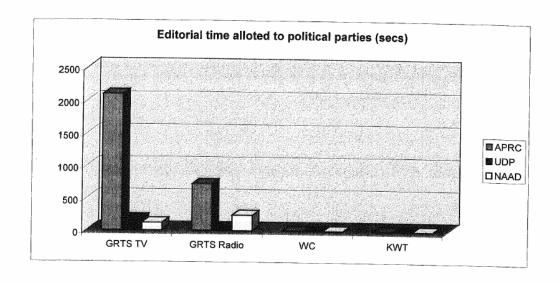
All parties are given more or less equal airtime. However, GRTS radio does not broadcast the platforms at

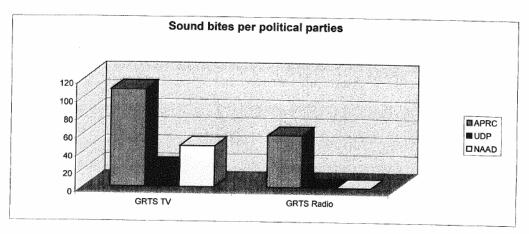
Notes

- Radio outreach, particularly state owned, is the most efficient way to help voters make an informed decision in Gambia. It is disturbing that GRTS Radio has not broadcasted the political platforms.

 GRTS radio does not have a regularly scheduled time to broadcast election campaign material.

- 2. Editorial coverage in the electronic media of political parties
- a) GRTS TV and GRTS radio time allocation





Sound bites: number of times the party is mentioned.

Remarks

APRC gets an overwhelming editorial coverage from the state funded outlet, especially on TV. This is partly due to the Tour the Country bi-yearly exercise the incumbent President has chosen to undertake during the election campaign, and during which calls for vote for APRC have been observed.

- The UDP has simply not been covered by GRTS radio, while both NAAD and UDP get small coverage on the TV.
- Although the Media Code of Conduct recently produced by the IEC with leading Gambian journalists states that (art 8) "Political parties should be given equal air time, space and treatment", the state TV and radio have so far not followed these self-imposed rules in covering the campaign.

Notes

 Certain practices at GRTS TV and radio violate the media Code of Conduct and can seriously confuse the Gambian voters, such as:

On September 9th the GRTS newscast only reported the APRC rally for that day, and announced the APRC political rally schedule for the coming days.

On September 9th and 11th a documentary on President Jammeh's achievements was broadcast before and after the news.

There was no reporting on UDP and NAAD's political campaigns on September 11th and 12th, while only APRC was covered.

Congratulatory music for President Jammeh is being played before and after GRTS radio and TV newscasts.

The APRC political advertisements are being read by the same newscaster after the newscast and can confuse the voters.

More disturbingly, the GRTS TV reporter covering the UDP campaign vanished on Friday 9th, sparking off debates of NIA involvement in his disappearance. Because the coverage of UDP activities has dropped on GRTS TV around these dates, this incident in the middle of the electoral campaign cannot

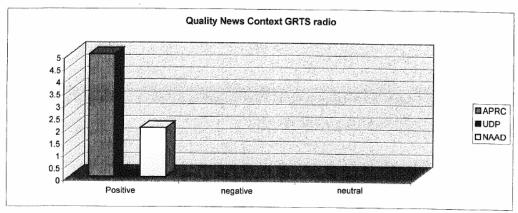
b) Private radios

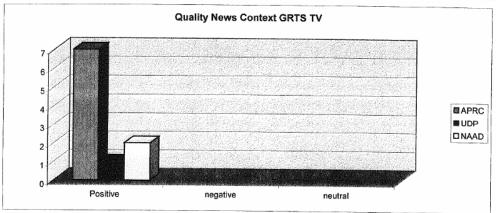
Article 94 (2) of the Electoral Decree states that "A private radio station or television station shall, during an election campaign period, guarantee to each candidate and political party (...) a minimum air time of five minutes." So far, no private radio has covered the electoral campaign, instead linking with the BBC world service broadcast.

Remarks 🗸

 Private radios shy away from political reporting, lessening the Gambian electors' right to make an informed decision on election day.

c) Positive, negative, neutral coverage on GRTS radio and GRTS TV

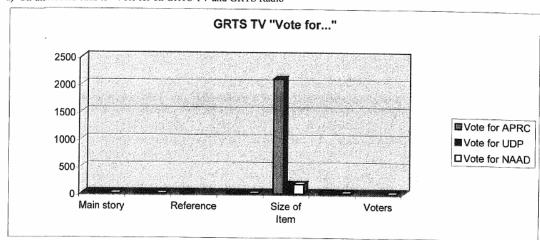


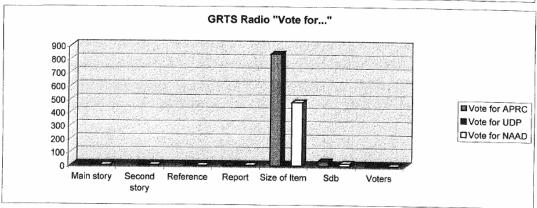


Remarks:

- No neutral or negative coverage (in the news context as well as the news presentation) has been recorded so far for any political party.
- However, the positive context as well as positive presentation favors the APRC by a vast margin, while the UDP is ignored by GRTS radio.

d) Un-attributed calls to "Vote for on GRTS TV and GRTS Radio



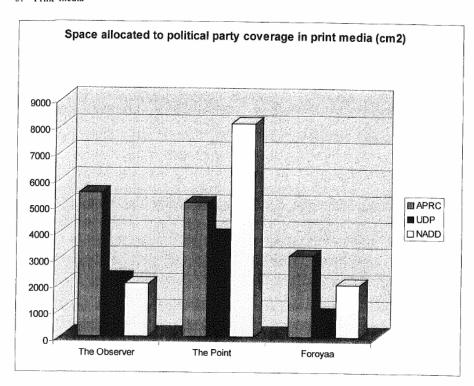


Un-attributed: when the source in the report is not clearly attributed but read or presented by the anchor.

Remarks

- The APRC is again overwhelmingly represented, followed by NAAD.
 There is no mention of the UDP on GRTS radio.

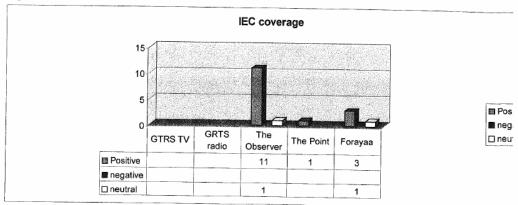
3. Print media



Remarks

- The election campaigning is being intensely covered by the print media, carrying main and second stories and fielding correspondents to follow the candidates campaigning.
- ✓ APRC incumbent gets the lion share in term of quantity of coverage.

4. IEC coverage



Remarks

- No electronic media coverage of the IEC No negative coverage in the print media

Notes

☐ The lack of public information activities, such as press conferences and releases etc, translates into an absence of the IEC in the electronic media.

ANNEX FOURTEEN

OBSERVATION NOTES AND POLLING STATION CHECKLIST



Commonwealth Observer Group

The Gambia Presidential Election 2006 22 September 2006

OBSERVATION NOTES FOR POLL, COUNT AND RESULTS PROCESS

PART A

The Observers may focus particular attention on the following aspects of the conduct of the election:

THE CAMPAIGN

- 1. Balance of TV/radio election coverage and extent and nature of access by party and other candidates.
- Print media: nature of coverage and extent of access by the political parties
- The tone and content of material put out by the candidates, access to printing facilities
- 4. The conduct of political meetings/rallies (permits for public meetings?)
- 5. The conduct of house-to-house canvassing of voters.
- Nature, scale and effectiveness of IEC and other voter education on radio and television, in the print media and by other methods.
- 7. Activities/measures to encourage the participation of women, breakdown of candidates by gender.
- 8. Access to funds and sources of funds
- 9. Evidence of the abuse of the advantages of incumbency (use of public resources, civil servants etc for party purposes)
- 10. Election violence/malpractices (corruption etc): potential and actual
- 11. What are candidates saying about gender/womens' issues?

THE POLL

- 1. The location of polling stations
- Distances travelled by voters to polling booths, particularly in rural areas.

- The procedure followed at the opening of the poll, including voter identification.
- The length of time voters wait to cast their votes: especially the old, and pregnant and breast-feeding women.
- The adequacy or otherwise of facilities at polling stations and their state of readiness.
- Availability of adequate supplies, e.g. ballot papers, official stamps, stamp pads etc and, in rural areas especially, lighting facilities
- 7. The performance of electoral officials at the polling stations visited
- The procedures in place to ensure proper security of ballot papers, ballot boxes and official seals
- 9. Arrangements to facilitate voting by women
- 10. The steps taken to ensure that the secrecy of the ballot is assured.
- 11. The general atmosphere at the polling stations visited.
- 12. Access of party agents and domestic observers to polling stations
- 13. Whether illiterate voters are assured of a vote in secret
- 14. Whether voters with disabilities are assured of a vote in secret
- 15. Whether the ballot boxes are properly sealed at the start and end of the voting, and their security ensured.

THE COUNT

- Inspection of seals
- The process of reconciling the number of people who voted with the number of ballots in the boxes
- 3. The determination of invalid ballots
- 4. The facilities for party agents and their representatives to witness and verify the count and overall transparency: do they sign the results, are they given a copy?
- Access by domestic and international observers: are they given a copy?
- 6. The conduct of election officers: do they follow procedures, do they display the results at the station?

7. Transport arrangements for the boxes, documentation and other material and arrangements for transmission of the polling station results to the Sub-County level and then to the District.

PART B

Questions that may be put and which you may ask yourself:

- 1. Was the Voters' Register compiled in a satisfactory way? Were people missed out? Were the names of dead people or "phantom voters" included? Did these "phantom voters vote"?
- 2. Who are the election officials? How were they chosen? Are voters confident that they will be impartial?
- 3. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so? Were there any attempts to discourage/encourage the participation of women and were they effective?
- 4. Have all parties been able to campaign freely? Has the campaign been free of intimidation etc? Have all parties had full access to the mass media?
- 5. Is there freedom to advertise and distribute posters, leaflets etc? Is there potential for violence/manipulation/intimidation?

ON POLLING DAY

- 1. Before polling starts, are the ballot drums empty? Are they properly sealed? Are all procedures being adhered to?
- Are all the parties/candidates represented at polling stations? Are they satisfied with the process?
- 3. Are the voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
- 4. Do voters understand the procedures properly? If not, are the procedures being explained fully and impartially? Are attempts being made to suggest how voters should vote?
- 5. Does the turnout indicate that women have been deterred from attending to vote?
- 6. How long are voters waiting to vote? If a long time, are some being

put off?

- 7. Will all parties be represented at the polling stations throughout voting and the count? Are agents adequately trained and vigilant?
- 8. Will domestic and international observers have free access to all stages of the process?
- 9. Is the security effective/oppressive?
- 10. Were the proper procedures followed at the end of the day?

THE COUNT

- Are the drums kept safe until opened? Are all parties present when they are opened?
- 2. Are the papers counted properly? Are counting agents present? Are they satisfied with the procedures of the count?
- 3. Are the proper procedures followed for declaring votes as invalid?
- 4. Are the sealing, transport and security arrangements in order?
- 5. Is the result of the count posted on the wall of the polling station?
- 6. Is the result transmitted to the Returning Officer accurately?

THE COLLATION OF THE RESULTS

- 1. Do the Statements of Result (and the drums?) arrive at the Regional Centre in good order?
- 2. Are party agents and observers present and are they able to do their job?
- 3. Are the procedures followed as set out in the law and regulations and are they appropriate? In particular, do the figures as shown in the Statements of Result as taken to the next level tally with those given at the polling station?
- 4. What determinations does the official in charge make and do they have a bearing on the overall constituency result? How long does the process take?

Commonwealth Observer Group

The Gambia Presidential Election 2006 22 September 2006

Checklist For Polling Station Visits

Team	Member(s):				
Cons	tituency:				
Pollin	g Station:				•••••
Time	of Arrival:				
Time	of Departure:				
Vote	s in Queue:		Rate	of Processing:	
1.	Opening of Poll	(On time?	Procedures followed?	All materials?
			No/Yes Details:	No/Yes	No/Yes?
2.	Those Present	. [Candidates' agents? Domestic observers? Others?		
3.	. Register		State of the register? Are voters on it? Are parties complaining? Details:		
4.	Layout and Facilities		Good? Ad	equate? Poor?	
5.	Polling Staff	E	fficient?	Satisfactory? Poor?	
6.	Security Presence	Г	Discreet?	Intrusive? Oppressive?	

7. Complaints by Which are they? Agents Any complaints? No/Yes Details: 8. Complaints by Voters No/Yes Details: 9. Presence of No/Yes Details: unauthorised persons 10. Atmosphere at Station? Orderly? Tense? Chaotic? 11. Secrecy of Ballot Assured? Poor? Uncertain 12. Voting (a) Personation attempts alleged: No/Yes Details: (b) Multiple voting attempts alleged: No/Yes Details: (c) Women deterred from voting: No/Yes Details: (d) Is the voting procedure No/Yes being followed? What procedures are being followed re (e) Illiterate and incapacitated voters?

13 Limit - is there one, is it being observed

No/Yes

14. Closing of Poll

On time? Numbers still in queue?

Seals applied?

Procedure followed? No/Yes

15. Agents/Observers – are the agents/domestic No/Yes observers satisfied with closure and sealing arrangements

THE COUNTING OF VOTES

1. The Count

Are procedures being observed? No/Yes

Detail:

2. Post Count

Procedures followed? No/Yes

- 3. Apparent fairness overall Good? Acceptable? Questionable?
- 4. Other Comments

DEPARTURE STATEMENT

29 September 2006



Commonwealth Observer Group

The Gambia Presidential Election 2006 22 September 2006

DEPARTURE STATEMENT BY DR SALIM AHMED SALIM, CHAIRPERSON OF THE COMMONWEALTH OBSERVER GROUP Banjul, 29 September 2006

In our Interim Statement issued on 23 September 2006, we indicated that our Observers would report on their impressions in the various polling stations and this would form the basis of our judgement on the entire process. We also had the opportunity of exchanging views with international and local observers.

We have now concluded our report. It will be presented to the Commonwealth Secretary-General who will then send it to all the stakeholders in The Gambia and Commonwealth Governments.

Our terms of reference specified two broad objectives. The first was to determine whether conditions existed for a free expression of will by the people. The second objective was to determine whether the results of the election reflected the wishes of the people. We believe that the people of the Gambia expressed their will and the result reflected their wish. But we would have liked to see a more level playing field and a more restrained utilisation of the advantages of incumbency.

We were impressed by the quality of performance of the Independent Electoral Commission. We also admire the commitment of the people of The Gambia to democracy and their belief in the electoral process. These are strong foundations on which to build, maintain and strengthen a politically stable society.

As we depart, we want to express our sincere gratitude to the Government, the Independent Electoral Commission, the political parties, civil society and the people of The Gambia for the cooperation and support accorded to our team.

We wish The Gambia well.

• Code of Conduct for International Election Observers

The attention of the members of this Commonwealth Observer Group was drawn to the *Code of Conduct for International Election Observers* and the *Declaration of Principles for International Election Observation*, which have been agreed by a number of organisations which sponsor international election observation to ensure that such observation is undertaken in line with the highest standards of professionalism and integrity. The Commonwealth Secretariat has endorsed both.

Copies of these documents may be obtained from the Democracy Section, Political Affairs Division, Commonwealth Secretariat, Marlborough House, Pall Mall, London SW1Y 5HX, United Kingdom, or the Commonwealth Secretariat web-site, which is www.thecommonwealth.org