I. INTRODUCTION

At the invitation of the Government of the Republic of the Gambia and the Independent Electoral Commission (IEC), the Chairperson of the African Union Commission (AUC), H.E. Moussa Faki Mahamat, in an effort to consolidate the democratic gains in the country, deployed the African Union Election Observation Mission (AUEOM) to the country’s National Assembly Elections that were held on 9 April 2022.

The AUEOM was charged with the responsibility of observing, assessing and reporting on the preparations for the election in line with the relevant AU instruments for democratic elections.¹ The main objective of the AUEOM was to conduct an impartial, independent, and objective assessment of the 2022 National Assembly Elections, in line with the AU and international principles for democratic elections and the national legal framework governing elections in The Gambia.²

The AUEOM was led by H.E. Dr. Speciosa Wandira-Kazibwe, former Vice President of the Republic of Uganda and comprised of three (3) core members and 12 Short Term Observers (STOs). The observers were drawn from Election Management Bodies (EMBs), Independent Electoral and Governance Experts, and Civil Society Organizations (CSOs) from 10 African countries.³ It was supported by the technical team from the AUC.

To achieve its objectives, and prior to its deployment, the STOs undertook three days of briefing and orientation⁴ on methodology and use of tablets in election observation. They were briefed by key electoral stakeholders on the political environment, legal framework for the election, state of preparedness of the IEC, as well as participation of civil society in elections.

The leadership of the AUEOM also held consultations with several stakeholders, including the IEC, political parties, CSO, United Nations Development Programme (UNDP) and other international observer missions.

¹ The relevant AU instruments, include- (a) the African Union Guidelines for Elections Observation and Monitoring Missions (2002); (b) the OAU/AU Declaration on Principles Governing Democratic Elections in Africa (2002); African Charter on Human and Peoples Rights (1981) and (c) African Charter on Democracy, Elections and Governance (2007), among others.
³ Benin, Democratic Republic of Congo, Ethiopia, Mauritania Nigeria, Rwanda, Somalia, South Sudan, Uganda and Zambia.
⁴ Briefing and orientation for STOs took place from 5-7 April 2022.
This Preliminary Statement reflects the AUEOM’s assessment of the 2022 National Assembly Elections up to the close of polling on 9 April 2022 and the immediate post-election period. A final and comprehensive report will be released within a month from the official announcement of final results of the Elections.

II. PRELIMINARY FINDINGS

General Political Context

The National Assembly Elections held on 9 April 2022 is the second since the political transition that began in 2016. These Elections also took place against the backdrop of a successful Presidential Election in December 2021, which was adjudged as peaceful and credible by local and international observers.

Legal Framework


The Constitution also recognises and guarantees fundamental human rights and freedoms which include: freedom of speech, freedom of conscience, freedom of assembly, association and movement, and political rights. It further provides principles for which, how and when elections are conducted, universal adult suffrage, and the establishment of an independent electoral body.

The AUEOM noted that the legal framework for the 2022 National Assembly Elections is one and the same as that used for the December 2021 Presidential Election. Although during the Presidential Election AUEOM recommended legal reforms in its previous report, it recognises that the period between the Presidential and National Assembly elections has been too short for effecting reforms. Noted are gaps in the legal framework for affirmative action to promote the participation of women, youths, as well as Persons with Disabilities in the governance processes. The Elections have, however, generally been held in line with international and regional norms and standards for the conduct of democratic elections.

5. The National Assembly Elections will be followed by and the Local Government Elections on 13 May 2023.
**Electoral System**

The electoral system in The Gambia is based on the first-past-the-post or a simple majority system. In line with Article 63 of the Constitution (1997), a National Assembly member serves for a 5-year term once elected.

Since 1960, The Gambia has used a home-grown voting system which uses drums, tokens, sand and sieves. Although the voting system is simple, effective and efficient, some stakeholders propose to replace it with paper ballots citing cost and logistical factors related to ease of diaspora voting and high numbers of candidates. Given pending proposals under the Elections Bill to change the electoral and voting systems, the AUEOM is still of the view that the voting system is a unique innovation which has worked for Gambia’s transparency in casting votes. Effort should be made to maintain and improve it.

**Electoral Administration and Preparation**

Elections in the Gambia are conducted by the IEC in line with Section 42 of the 1997 Constitution (as amended). For the 2022 National Assembly Elections, the IEC did not carry out any voter registration and review but replaced voters’ cards 21 to 27 March 2022. The total number of voters has remained 962,157, representing 96.2% of the projected 1 million eligible voters. Of the total registered voters, 545,318 (57%) are female and 416,839 (43%) male.

The IEC did not carry out new delineation of constituency boundaries prior to the Elections. Consulted stakeholders have, however, raised concerns about disproportional constituency sizes which do not guarantee proportionate representation. For instance, Kombo South Constituency has 45,152 registered voters compared with Foni Bondali constituency with only 4,104 registered voters.

**Nomination of Candidates**

Nomination of candidates took place from 5 to 13 March 2022 in each of the seven IEC regional offices. The number of candidates nominated was 246, (19 female and 227 male). Of these, 167 candidates represented 12 political parties while 85 were independent. This low participation of women in vying for elected positions will require deliberate effort on the part of government, political parties and all Gambians to rectify the situation.

Different stakeholders asserted the fact that the nomination exercise was peaceful.
Campaigns

Official campaigns were held 17 March to 7 April, 2022. Although there have been reports of code of conduct violations, overall, the campaign period was peaceful. Political parties and candidates mobilized across the country with no restrictions and hindrances.

The AUEOM noted that on the 29 and 30 March, political parties signed the code of conduct committing to promoting peace during and after the Elections and to further refrain from vote buying, bribery, offering of financial inducements to the electorate.6

Civil Society Participation

The AUEOM noted the participation of the civil society groups such as Citizen Observer, Elections Watch Committee,7 WANEP and National Council for Civic Education. The organizations undertook a number of activities including civic and voter education awareness campaigns, general and systematic election observation.8

III. ELECTION DAY FINDINGS

The voting process was peaceful and orderly with polling staff and voters showing commitment and professionalism. Party agents were present at all polling stations while the presence of citizen observers was not systematic. International observers were present, mostly from ECOWAS. Both party agents and observers were given access to the polling stations without restrictions. Significant participation of women as polling staff was observed. Efforts were made by IEC to provide COVID-19 protective materials to polling staff. The AUEOM observed that all eligible voters were allowed to vote as mandated by the IEC regardless of adherence to the COVID 19 safety guidelines.

The AUEOM deployed 19 observers in 17 constituencies across the country. They visited a total of 83 polling stations on Election Day to observe the opening, voting, closing and counting procedures in their areas of deployment, with 71% in urban and 29% in rural areas. Overall, the atmosphere throughout Election Day remained peaceful and orderly.

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6. This initiative was sponsored by the International Institute for Democracy and Electoral Assistance (International IDEA).
8. CSO participation was done in collaboration with partners which include UNICEF, UNDP, UNFPA, ECOWAS, among others.
Poll Opening

Poll opening procedures were observed at 7 polling centres across 7 constituencies. The polling streams opened on time in these polling stations. The polling staff followed the required opening procedures and guidelines were followed. Security was present and acted professionally.

There were queues outside some of the visited polling stations before and during the opening process. The polling stations were accessible to voters. The layout of the polling streams allowed the easy flow of the voters through the electoral processes in a manner which protected the secrecy of the ballot.

Election Materials and Personnel

The AUEOM noted that materials were delivered in advance, in sufficient quantity in all polling stations visited. The polling staff were competent in carrying out their duties. The AUEOM commends the IEC for deploying women and youth as polling officials.

Observers and Party/Candidate Agents

The AUEOM noted the presence of ECOWAS as the other international observer missions. Party and candidate agents were able to carry out their mandate without restrictions. This included monitoring the whole process of set-up, voter identification, voting, counting and collating of the votes and closing the voting process. Citizen observers were apparent in some stations.

Voting Procedures

Voting proceeded uninterrupted, throughout the day, in all polling stations visited. The AUEOM noted that secrecy of the vote was guaranteed and priority and assistance was extended to Persons with Disabilities, the elderly, pregnant women and nursing mothers as well as other persons with special needs.

Poll Closing and Counting

Polling closed at 1700 in all polling stations visited by the AUEOM. On-the-spot counting was conducted at each polling stream, ballot reconciliation was done and the drums sealed according to the laid down procedures. All the necessary documentation was completed and party/candidate agents were provided with a copy of the results form. Results were displayed for public view at each polling station. The process was peaceful
and transparent at all polling stations visited by the AUEOM. The AUEOM also noted the presence of citizen observers during closing.

IV. CONCLUSION AND RECOMMENDATIONS

Conclusion

The AUEOM commends the Government and the people of The Gambia, the IEC, political parties, candidates and their supporters for their peaceful conduct before and on the Election Day. The AUEOM hopeful that the peaceful character of the 2022 National Assembly Elections will consolidate this tradition.

The AUEOM further encourages all stakeholders to sustain the prevailing peace in the remaining phases of the electoral process.

Based on its pre-election and Election Day findings, the AUEOM concludes that the 2022 National Assembly Elections were conducted in a peaceful and orderly manner.

Recommendations

The AUEOM offers the following preliminary recommendations for improvement of future electoral processes in The Gambia:

- Reiterates the need for concerted efforts to be made to pass the Electoral Bill and continue constitutional reforms to address gaps in the legal framework for conducting elections.
- Reiterates the need to introduce legislation such as quotas to specifically enhance women participation in the electoral space.
- Reiterates the call for political parties to take deliberate steps to adopt affirmative action measures aimed at increasing the participation of women, youth and Persons with Disabilities in decision making processes.
- The IEC should undertake the delineation of boundaries before the next electoral cycle to ensure proportionate representation at the constituency level.
- Reiterate the view that the voting system is a unique invention and efforts should be made to maintain and improve it.

Finally, the AUEOM calls on all stakeholders to remain calm during and after the electoral process. The AUEOM urges any stakeholder dissatisfied with the electoral process to seek redress through the established legal and institutional mechanisms.