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VOTER REGISTRATION MONITORING REPORT 2021

National Human Rights Commission (NHRC)



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PART A: INTRODUCTION

Background

Section 26 of the 1997 Constitution guarantees the right of every Gambian with full age (18 years and above) and capacity to take part in the conduct of public affairs, including registering for a voter's card to vote at genuine periodic elections.

Periodic election ensures citizen participation in the governance of a country and a government's accountability to its citizens. Since popular mandate is legitimately gained only through elections and people are governed based on their consent, elections are a fundamental pillar of democracy. Enabling citizens acquire voter's cards to participate in this process is thus a duty imposed on the State. This right is equally enjoyed by all citizens without discrimination or distinction.

Following IEC accreditation to monitor the recently concluded voter registration, the NHRC commenced its monitoring of the voter registration process on 24th June 2021. The purpose of the voter registration monitoring exercise was to ensure that registration procedures on the ground were compliant with the guidelines set out by the IEC and also in accordance with human rights principles.

Four teams of observers, each led by a commissioner, visited a total of sixty-seven (67) Registration Centres in all the 7 administrative regions in the country, from 24th June to 11th July 2021.

The monitoring exercise was guided by a standard checklist of 14 questions, designed to assess the operations of the centres and by extension the registration process. This report thus presents the findings of the monitoring mission and proposes recommendations for the consideration of the Independent Electoral Commission (IEC) in the upcoming Presidential election and the subsequent elections.

Objectives

The overall objective of the mission was to monitor the voter registration process to ensure that registration procedures are compliant with the guidelines set out by the IEC and are in accordance with human rights principles.

The specific objectives of the voter registration monitoring mission include:

- a. To collect evidence-based data and report on any form of human rights violation that may occur during the registration process.
- b. To safeguard or monitor the right of all eligible Gambians to participate in the upcoming elections; and

- c. To prepare and present to the IEC and other relevant stakeholders, the findings of the monitoring, including any challenges in the registration of voters and recommendations to address the issues observed during the monitory visits.

Monitoring Methodology

The following monitoring methods were adopted while monitoring the voter registration exercise 2021 from a human rights perspective:

- a) Collection of primary data,
- b) Necessary discussion, dialogues, and collection of required information from the electoral officers,
- c) Formation of monitoring teams comprising Commissioners and staff,
- d) Discussion and interaction with political party agents, village heads and registrants,
- e) Collection of photographs related to the subject matter,
- f) Receiving information from mass media, testing their validity and use,
- g) Desk review of voter registration process.

Composition of Teams

At the request of the NHRC, an eighteen-member group was issued accreditation from the IEC as observers in the registration period. The composition of the group included Commissioners and staff of the NHRC. This group was subsequently divided into four (4) teams, led by Commissioners. Each team was designated to cover a region (an area). A list of the teams is annexed to this report as Annex 1.



Team A interviewing Supervisor at Latrikunda Sabiji (Plasas Annex Basic School)

Registration Centres

The Commission visited a total of 67 Registration Centers throughout the country. A list of all centres visited is annexed to this report as Annex 2.

PART B: DESK REVIEW OF THE GAMBIA 2021 VOTER REGISTRATION PROCESS

Introduction

The Independent Electoral Commission (IEC), established by the 1997 Constitution,¹ is the body responsible for the registration of voters for elections and matters relating thereto.² Voter registration is an important part of the fulfilment of the right to participate in the government of the country either directly or through voting representatives into elected offices. The failure to register voters or give eligible voters reasonable opportunities to be registered is an infringement on the right to vote, hence the significance of voter registration. Section 39 of the Constitution as well as article 13 of the African Charter on Human and Peoples' Rights guarantee the right to participate in elections.

In fulfillment of its mandate and in line with the constitutional provision on the right to be registered,³ the IEC embarked on a nationwide voter registration preceding the December 2021 presidential elections and subsequent parliamentary and local government elections. This practice is in line with the obligation of States to conduct regular free and fair elections scheduled within reasonable intervals.⁴ In accordance with section 14 of the Elections Act, the registration opened on the 29th May 2021 and closed on 11th July 2021.

The National Human Rights Commission (NHRC) is mandated to protect and promote human rights in The Gambia, monitor complaints of human rights violations, recommend appropriate remedial action to government and promote awareness of and respect for human rights.⁵ Since the right to be registered and vote is a human right, promoting and protecting this right and monitoring the voter registration process fall under the mandate of the NHRC. In line with this mandate, the NHRC applied for and was granted observer status by the IEC to observe the voter registration process. In this capacity, the NHRC sent teams to 67 registration centers across the country in order to monitor the process, spot deficiencies related to human rights and recommend necessary remedial actions to IEC. Despite reports of isolated incidents in certain registration centers, the process successfully ended on Sunday 11th July 2021.

This Report looks at the voter registration process with the aim of providing objective assessment of the process, and pinpointing shortcomings of the process. It explains the legal and constitutional procedures and modalities that are put in place for registration, draws attention to the right to vote as protected under international human rights law and examines the setbacks in the registration process and their resultant consequences.

¹ See section 42(1) of the 1997 Constitution.

² Section 43 of the 1997 Constitution and section 8 of the Elections Act, Cap 3:01 vol. 3 Laws of The Gambia.

³ Section 39 of the 1997 Constitution.

⁴ See article 3 of the African Charter on Democracy and Good Governance.

⁵ See section 12 of the NHRC Act, 2017.

The Procedure

Since voter registration is inextricably linked to the right to vote, ‘[t]he right to vote is violated if the legal framework makes it unreasonably difficult for a person to register to vote, as a person who is not registered can generally not vote.’⁶ The right to vote is also violated if the State fails to ensure that voter registers are comprehensive, inclusive, accurate and up to date, and that the registration process and voter register are fully transparent. The legal framework of The Gambia is commendable since reasonable measures are put in place to register qualified Gambians in all constituencies.

Pursuant to section 12 of the Elections Act,⁷ a person is entitled to register in a constituency if he or she is a citizen of The Gambia, has attained or will attain the age of 18 years at the time the election will be held and is resident or was born in that constituency. This registration can be done on the production of a birth certificate, a Gambian Passport, a national Identity Card, or a document certified by the district Seyfo or an Alkalo of the village which states that the applicant was born in the district or village. Under section 12 (3) of the Elections Act, the IEC is prohibited from rejecting for the purpose of registration a valid document described above.

Unless a person is disqualified under any of the exceptions under section 13 of the Election Act, fulfilling the above criteria guarantees a person to be registered upon presentation of these at a registration center. Registration of voters is done at registration centers identified and designated as such by the IEC under section 15 of the Act. Pursuant to these provisions, the IEC embarked on the registration of voters between 29th May 2021 to 11th July 2021 for the purposes of the upcoming 2021 December Presidential Elections and subsequent Parliamentary and Local Government elections. The IEC rolled out teams accompanied by security personnel to conduct the registration exercise.

The right to vote and be registered under international human rights law

The right to be registered and vote in elections for persons who meet the requirements is guaranteed under The Gambian domestic laws. This is in line with the requirements and state obligations that are provided for in many international treaties. Article 21 of the Universal Declaration of Human Rights provides for the right to take part in public affairs either directly or through freely chosen representatives and that the will of the people shall be the basis of government. Similarly, the International Covenant on Civil and Political Rights protects the right to vote and be voted for during genuine periodic, free and fair elections.

At the Regional level, the African Charter on Human and People’s Rights in article 13 provides for the right of persons to take part in the government of their countries either directly or through freely chosen representatives in accordance with the law. The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa under article 9 also protects the right

⁶ IDEA ‘International obligations for elections’ p 179.

⁷ Cap 3:01 vol 1 Laws of The Gambia 2009.

of women to take part in elections equally with men and for States to take affirmative action to ensure their participation. The Convention on the Elimination of All forms of Discrimination Against Women (article 7), the Convention on the Rights of Persons with Disabilities (article 29) and other international instruments provide for the right to take part in elections and puts obligations on States Parties to ensure that both legal and other measures are devised to fulfil these rights. These requirements are largely reflected in the 1997 Constitution and other domestic legal framework.



Summary of Infractions and setbacks observed

Technical faults with the equipment: The beginning of the registration process witnessed some delays as the technical equipment used by the teams failed in several places. This resulted in backlogs in the printing of voters' cards and frustration in some of the centers. However, as the process steadily took pace, these difficulties declined.

Issuance of Attestations: The issuance of attestation by *Alkalos* and the authority to do so culminated in accusations and counter accusations between sympathisers of different political parties as they accused each other of using influence over the *Alkalos* to register unqualified individuals to boost numerical advantage of registered followers.

One of the most worrying reports during the registration process, and presumably precipitated by the attestation was the Manduar incident.⁸ The village consists of two sides, the old settlement of Manduar Mandinka on the one side and Manduar Touba on the other. In accordance with section 12 (2) (c) of the Elections Act, the latter side of the settlement sought to issue *Alkalo* attestation to persons who wanted to register. The former, argued that the latter does not have the authority to

⁸ Kombo South, West Coast Region.

issue attestation and therefore should not do so.⁹ This resulted in violent clashes between youths from either side of the settlement as protesters interrupted the registration process. The Gambia Police Force subsequently deployed officers to the scene and dispersed the commotion with tear gas. Five people were subsequently arrested in connection with the incident.

The authority of the Mayoress of Banjul to issue attestation for the purpose of voter registration was also successfully challenged at the High Court by Civil Society Organisations- Gambia Participates, Abdou Aziz Gaye (Councilor of Box Bar Road in Banjul) and the Center for Research and Policy Development.¹⁰ The Applicants, among other things, contended that the Mayoress, unlike the Alkalos and the District Chiefs, does not have the authority to issue attestations and her action contravenes section 12 of the Elections Act. The Applicants sought for the Court to make declaration that the conduct of the IEC in conferring the Mayor the power to give attestation was *ultra vires*, an order quashing the decision of the IEC granting the Mayor such powers and an order cancelling the attestations given by the Mayor and the voters cards issued pursuant to these attestation forms.¹¹ The Court held that the Mayor acted in contravention of section 12 of the Elections Act and that the decision of the IEC to grant the Mayor power to issue attestation was *ultra vires*.

However, the Court declined annulling the voters' cards already issued by IEC pursuant to attestations given by the Mayoress. The Court reasoned that this could be done by an Elections Revising Court established for that purpose. This decision brings to the fore several pertinent questions that require answers. For example, what will be the next steps? Should the IEC conduct supplementary registration to cater for those affected? Should the names of those affected be removed from the register? Should there be established an election revising court to handle the issue?

Attack on the UDP Voter registration monitoring team: An incident that caught the attention of the media was the Kanilai attack on United Democratic Party observers during a monitoring visit to the Kanilai registration center. It was reported that the UDP observer team was attacked by some villagers who sought to prevent the team from observing the registration process in Kanilai. The vehicles suffered some damage and while the team members sustained injuries when an angry crowd threw stones and other objects at them. The attack generated condemnation on social media within and outside of The Gambia. The United Democratic Party even called on the IEC to close down the registration center until such a time as Kanilai complies with the rules of registration.

⁹ 'Manduar Mandinka alkalo says Manduar Touba should be told the truth as he speaks amid clashes' *The Fatu Network* <https://fatunetwork.net/manduar-mandinka-alkalo-says-manduar-touba-should-be-told-the-truth-as-he-speaks-amid-clashes/> accessed 12th July 2021.

¹⁰ Unreported judgment of the High Court *Gambia Participates and Ors. v The Mayor of Banjul and ors* Misc. App. No. HC 380/21/MF/122/F1 delivered on 13th July 2021.

¹¹ As above; 'Mayor Lacks Power to Give Attestation' Submits Lawyer Abdoulie Fatty' *Foroyaa* 7 July 2021 <https://foroyaa.net/mayor-lacks-power-to-give-attestation-submits-lawyer-abdoulie-fatty/> accessed 12 July 2021.

Party agents' interference in the registration process: The IEC via a Press Release dated 31st May 2021, warned political party agents to desist from interference with the registration process.¹² Despite this release, there were sporadic reports of party officials visiting registration centers and interfering with the process by trying to deny registration to persons they suspect are foreigners or children. This resulted in some confrontations with IEC Officials and intimidation of electorates. In Sare Ngai, in the Upper River Region, allegations of registration of foreigners resulted in confrontation between security officers and members of the public who were believed to be sympathisers of the NPP. This led to the suspension of registration for about 30 minutes.¹³

Complaints about the registration timeframe: A few complaints were raised regarding the time within which electorates could be registered. The Councilor of Tallinding North Ward particularly lamented the lateness of the IEC officers stationed at the Tallinding Registration center and aired his fear that the process may not successfully register all eligible voters within that period of time.¹⁴ Despite these concerns, the IEC Press Release dated 12th July 2021 indicated that a total of 987,484 voters were registered throughout the country.

The impact of violence, intimidation, and uncertainty on the registration process

As a result of the need to provide reasonable opportunities to the electorate to register, the IEC is under obligation to put in place modalities that will ensure a credible registration process. The credibility of the process requires not only operationalization of registration centers but also ensuring a conducive climate in these centers that will encourage eligible individuals to register. The reported cases of intimidation have the possible effects of scaring away individuals who would otherwise be eligible to vote. Further, violence in the registration centers has the tendency of delaying the process and resulting in lower figures in the days that violence erupted.

The fate of the over 2,000 voters that were registered in Banjul using the attestation endorsed by the Mayoress also remains in limbo. This is because even though the High Court did not venture into nullifying the voter cards, the effect of declaring the actions of the Mayoress as contravening section 12 of the Elections Act and that of the IEC as *ultra vires* in giving the Mayoress powers to issue attestation is essentially rendering the process illegal. It is yet to be seen whether the IEC will redress the situation or if the Revising Court would nullify the voter cards issued on the basis of the attestation forms authorized by the Mayoress.

¹² 'IEC Warns Party Agents Against Interference in Voter Registration Exercise' *Foroyaa* 4 June 2021.

¹³ 'CSO Coalition fears divisive political rhetoric could retard country's peace, stability' *The Point* 8 July 2021
<https://thepoint.gm/africa/gambia/headlines/cso-coalition-fears-divisive-political-rhetoric-could-retard-countrys-peace-stability>

¹⁴ 'Gambia: Tallinding North Councillor Unhappy With Voter Registration in His Ward' *allAfrica News*
<https://allafrica.com/stories/202106110323.html> accessed 13 July 2021.



PART C: KEY FINDINGS, OBSERVATIONS AND RECOMMENDATIONS

To effectively monitor the voter registration process, the Commission developed a monitoring checklist which was administered during the voter registration monitoring mission. The set of questions are guided by international treaties ratified by The Gambia. Below are the main findings of the monitoring exercise.

Key Findings

i. Registration Centre Operating Hours

Speaking with the Supervisors and other Registration Officers in all the Centres visited, it was noted that all centres were fully operational for nine (9) hours daily, from 8:00 to 17:00, Mondays to Sundays. During working hours, Officials are allocated an hour break, from 13:30 to 14:30 every day. However, due to provision of service, most Centres do not observe breaks and some work overtime to ensure that no eligible applicant(s) leave the Centres without being registered and issued a voter's card. Officials at Registration Centres such as Gambisara and Latrikunda Picadilly (Agriculture Centre), among others, indicated that they could not observe their daily breaks regularly due to the presence of large numbers of applicants.

ii. Closure of Registration Centres

In each Centre visited, the Commission inquired whether they had experienced any closure or disruption due to violence or technical issues such as the non-working or lack of requisite equipment. Consequently, the Commission was informed that none of the Centres visited had closed, either temporarily or permanently, for any reason. However, there were some disruptions due to lack of materials such as ribbons for printers, as well as some technical issues with the printers, which are said to be very 'dust sensitive', UPS devices, laptops and camera lenses.

iii. Malfunctioning of Registration Equipment, including Printers

For instance, some Registration Centres such as Latrikunda Picadilly, BCC and Baati Njol reported that printing of voter's cards was disrupted due to the malfunctioning of their printers. At Latrikunda Picadilly, it was found out that due to the disruptions in the printing cards because of the malfunctioning of the printer, already registered applicants were asked to come for their voter's cards at a later date. The Supervisor and other Officers noted that some people had started picking their cards, whilst others were expected to show up before the registration period ends. However, the Commission was informed that some cards remained uncollected from their previous location at Latrikunda Mosque (which the covered from 29th May to 12th June 2021).

At Batti Njol, the delay in the issuance of voter's cards led to protest from the villagers. In Wassu and few other Registration Centres, the NHRC was informed that their printer malfunctioned, and voters' cards could not be printed for about 3 days. When asked how the Centre would ensure that all registered persons would receive their cards, the Supervisor noted that the uncollected cards would be handed over to the Alkalo for distribution to the rightful owners.

iv. Quality of Printing of Voter's Cards

During the monitoring exercise, the Commission was informed about the quality of the printing of the cards. At Latrikunda Picadilly (Agriculture Camp), it was observed that the voter's cards printed, at the time of the monitoring visit, displayed white lines across the photos of the card owners as shown in Image 1. When the Commission inquired about the said lines on the voter's cards issued, the Supervisor on the ground noted that it started appearing on the cards a week prior to the NHRC visit. She added that this was reported to IEC, but nothing was done to resolve the issue as of Friday, 25th June 2021.

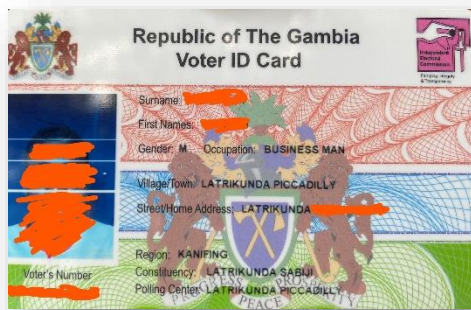


Image 1

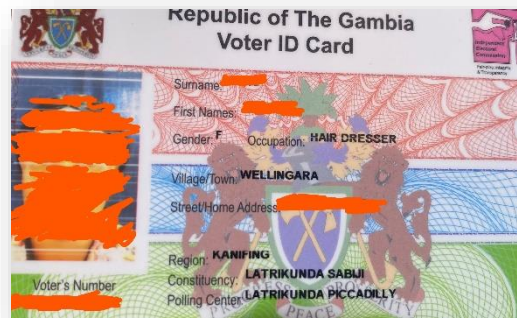


Image 2

The Commission embarked on a follow up visit to the Centre on the 8th of July 2021, to monitor progress since the previous visit on Friday 25th June 2021. The Supervisor informed the Team that the printer was replaced with a new one on the 7th July 2021, a day before the follow-up visit. However, the printing was still faulty as shown in Image 2.

Similarly, Supervisors at Model Bantaba Sukoto in Busumbala, WCR, and Fass Njagga Choi Registration Centres in Nuimi, NBR, among others, reported that they had also experienced issues with the white lines displayed on the voter's cards.

v. Compliance with Voter Registration Procedures

As per the 1997 Constitution of The Gambia and the Elections Act 2001, only Gambian citizens aged 18 years and above are qualified to register for a voter's card. It was noted by all the Supervisors of the centres visited that to register and be issued a voter's card, applicants would need to prove Gambian citizenship, be in possession of one of the stipulated national documents and be above or turning 18 years of age no later than the 4th of December 2021. That is, persons born after 4th December 2003 are not eligible for registration.

During the monitoring exercise, the Commission observed that applicants were required to present original copies of one of three valid national documents namely a birth certificate, passport, or ID card. After proof of citizenship, Registration Clerks at the Centres would record the personal details of applicants, including their names, addresses, date and place of birth, age, gender, nationality, occupation, and national identity document number, using a standard registration form developed by the IEC. Finally, fingerprint samples and photographs of applicants are taken before issuance of the card.

On average, the Commission observed that the entire process of registration takes about 5 minutes. This was confirmed by the Supervisors and other IEC personnel, as well as the Political party representatives in all the centres visited. As a general rule, a card holder can only be allowed access to vote at the centres where s/he is registered.



a. Alleged Attempts by Minors to Register

The Commission noticed that there were many incidences in which minors attempted to register, sometimes accompanied by adults. In accordance with the guidelines, applicants who appear underaged and did not present any of the requisite documents to entitle one a voter's card are rejected. This was observed in Sare Jawbeh Voter Registration Centre in URR, where applicants who appeared underage were rejected as they did not present any national document to prove their age. It should be highlighted that at the aforementioned village, some minors were still able to obtain attestations from their Alkalos but were denied registration by the Registration Officials.

b. Rejection of old National Identity Cards (those that are not 'ECOWAS Identity Card')

At Sotokoi in Central River Region and Methodist Primary School (Wesley Annex) in Banjul Registration centres for instance, the Commission observed that people who came with their old National Identity Cards to register were told that they could not be registered with such a

document. In this case, the IEC officials issued attestation forms and asked them to get endorsement from either the Alkalo or Mayoress, respectively before they could be registered.

c. Attestation Forms

In the event that an applicant is unable to present one of the three valid national documents, s/he may be issued an attestation form to be endorsed by the Alkalo of the community or the District Chief.

During the monitoring exercise, the Commission was informed that there were numerous requests for attestation at the Centres visited. The Supervisors at Latrikunda Buffer Zone and Picadilly confirmed that their respective centres had issued many forms to applicants, who either came with no or improper national documents. The latter informed the Commission during the second visit to the Centre that nearly one thousand (1,000) attestation forms had been issued as of 8th July 2021. Asked whether all attestation forms issued were returned to the Centre, she noted that there was no record of the exact number of attestation forms returned. Notwithstanding, all forms issued are allocated a serial number unique to the Centre, to indicate the specific Centre that issued the form. Election authorities will only accept attestation forms issued by their respective centres, she added.

The Commission was also informed of instances where Alkalos and, in the instance of Banjul, the Mayoress refused to sign attestation forms because they could not attest the applicants' Gambian nationality.

Whilst at the BCC Registration Centre, the Commission found a long queue of individuals waiting to have their attestations signed by the Mayoress. The Commission was informed some would be discouraged by the long wait and at times would go home and return. As such, the Commission decided it should meet with the Mayoress, who had been given authority by the IEC to sign attestation forms, to find out why the bottleneck.

The Mayoress informed us that she was the only one who can sign attestation of applicants, her Deputy was not allowed to in her absence. That at first, she allotted two days per week for the signing of the forms but eventually made it daily due to the long queues. She revealed that she was receiving on average fifty attestation requests per day, which she described as overwhelming. She, however, said that she had a team in her Office comprising only of Banjulians who were helping her conduct the initial screenings.

She confirmed that at the time of the meeting, her Office had received and endorsed about two thousand five hundred attestation requests and rejected about one hundred and forty-five.

vi. Definition of Youth by IEC

The Commission was generally impressed with the turnout of applicants at the Centres visited. However, the Commission observed that in some centres visited, the Supervisors were going by the IEC definition of ‘youth’ for the purpose of the voter registration, which is ‘any person between 18 and 20 years’. The Commission is concerned that this definition excludes a large number of youths registered and will consequently result in gross underreporting of the actual number of eligible youth voters. The National Youth Policy 2019-2028 defines ‘youth’ as all young males and females aged between 15–35 years of age who are citizens of The Republic of The Gambia, or anyone within this age range and resides in The Gambia. Thus, the IEC definition of youth excludes voters who are between 21 and 35 years.



Monitoring team in the North of Central River Region.

vii. Registration of Vulnerable Groups

During the visits, the Commission raised questions about the treatment and registration of vulnerable groups, mainly persons with disabilities, the elderly, and pregnant and lactating women.

The supervisors noted that persons with disabilities who came to register were those with mobility, vision and hearing disabilities or impairment. According to the Supervisors and as observed by the

Commission, applicants with these conditions, pregnant and lactating women, and the elderly are treated with priority and often do not stand in queues. During the visit to Odeon Cinema in Banjul for instance, the Commission witnessed the registration of a visually impaired woman who was accompanied by some minors and being assisted by the Registration Officials.

viii. Absence of Sign Language Interpreters and information in braille form

Overall, at all centers visited, the Commission observed that there were no sign language interpreters present, neither was documentation made available in braille form for the visually impaired.

ix. Denial of Registration due to submission of improper or invalid documents

In all centres visited, the Commission was informed that applicants were denied registration mainly due to submission of improper or invalid documentation. This was the case in many Registration Centres including Sotokoi, Laminkoto, Latrikunda Buffer Zone and BCC. The criteria for registration, according to all Supervisors interviewed across regions, is that an applicant must present valid original copies of one of three national documents: a birth certificate, a passport, or an ID card. Aside from failing to meet the eligibility criteria, voter registration applications are rejected in cases where the applicant is underage and would remain so by the date of the election or failed to get their attestation endorsed by a the Alkalo or Chief.

Of the centres visited, many supervisors, including those at Lasso Wharf, Tallinding Primary School, Basse Manneh Kunda, Sami Madina, and Gambisara, confirmed having rejected applications based on the applicant's failure to meet the age requirement. On occasions where Gambian nationality was unable to be verified, as in Latrikunda Buffer Zone Centre, or attestation requests from applicants were unsuccessful, as in BCC, Gambia High School and Laminkoto, registration was also denied. Rarely do rejected applicants attempt multiple registration; however, in Laminkoto, an applicant's second attempt to register was detected by the system and automatically rejected and was denied registration.

x. Residency, Birth or Employment as a prerequisite to be registered (an anomaly)

In two centres in the Greater Banjul Area (GBA), the Commission observed a failure to adhere to the requirements for registration. At all centres visited in GBA, the Commission was informed that applicants could register at any Centre of their choice upon provision of valid documentation. This was not the case in BCC and Gambia High School registration centres where the Supervisors stated that to be permitted to register, an applicant must either be a resident, born or working in that area. Notwithstanding, exceptions are made for officials of security forces and health officials, among others, who could register and/or vote despite not meeting this residency criterion. However, these individuals must be issued clearance by IEC to enable them to vote at such centres on election day.

xi. Interference or Intimidation in Voter Registration

During the monitoring missions, the Commission did not witness any form of interference, intimidation, or coercion of potential voters by political party representatives or any other third party.

The Supervisor at Talinding Primary School, however, recalled one occasion where a complaint was made against a party representative who attempted to interfere with the operations of the Centre. The complaint was subsequently resolved by IEC.

At Methodist Primary School (Wesley Annex) in Banjul, the Supervisor detailed instances where party representatives would direct improper comments at applicants in an attempt to persuade them to register at specific locations.

At Latrikunda Picadilly, the registration officials claimed they had experienced intimidation from applicants who were denied registration.

xii. Presence of Party Representatives or Agents

The Commission observed that in all registration centres visited, party representatives were there to serve as observers of the registration process. The Commission was informed that political party agents were briefed on their roles, functions, and responsibilities, including the need to refrain from wearing party colors/uniforms, by IEC officials prior to the commencement of the registration process. During the monitoring visit, the Commission met party representatives from PDOIS, UDP, APRC, NPP and GMC. The Commission was informed by Supervisors and political agents alike, that there had been no issues, conflicts, or incident of violence between or amongst the party agents. Political party agents expressed satisfaction both in the registration process and with the conduct of their fellow agents. Overall, the Commission was satisfied with the conduct of the political party agents at the centres visited.

xiii. Adherence to Covid-19 Guidelines

The Commission observed that overall compliance with Covid-19 guidelines was extremely poor. While hand sanitizers and temperature scanners were found in some centres, their usage was not strictly enforced. All Supervisors interviewed by the Commission noted that they were provided face masks by the IEC for the personnel but not for applicants. At some centres, Supervisors were awaiting replenishment of face masks and other supplies from IEC, which were running low or out of stock. Social distancing was also said to not be feasible due to limited spatial availability.

xiv. Complaints related to Registration

According to the registration officials and political party agents interviewed at the various centres visited, no official complaints regarding the voter registration process had been filed against their centres. The Commission was however informed that individuals denied registration due to ineligibility and unsuccessful attestation requests expressed dissatisfaction with the voter registration process. In addition, the Commission was informed that there were some misunderstandings between political party agents and IEC officials regarding procedures for attestation, but these were subsequently resolved.

xv. Location and Accessibility of Centres

In the Greater Banjul Area, most centres visited were not within an established structure. Rather, they were tents mounted in open spaces such as at Charles Lwanga Lower Basic School, Gambia High School and Lasso Wharf. Considering the fact that the registration period took place during the rainy season, these locations may not have been ideal during times of rain and adverse weather.

Centres such as Talinding Bantaba and Latrikunda Picaddily registration centres were not ground level and may be inaccessible to persons with physical disabilities such as persons using crutches or on wheelchairs. Similarly, applicants at Brufut Father's School, Sanneh Mentereng Constituency, had to climb about four steps to access the registration Centre, thus creating a hindrance for persons with disability, the elderly and pregnant women. Similar observations were made at Barra Bantaba as well as at Fass Njaga Choi Market, Lower Nuimi Constituency.

Generally, however, the Commission observed that most of the centres visited in all the regions were accessible to persons with disabilities and the elderly. Many registration centres were located at 'Bantabas' or in open spaces, thus were accessible to most people.



Monitoring team accompanied by the Chairperson in Upper River Region.

Furthermore, at Fass Njaga Choi, the Centre is located inside the village market with market stalls serving as workstations for the registration team. There were many tailoring shops nearby which were causing a lot of noise.

Additionally, the locations of some centres were found to be inconvenient for applicants due to distance. For instance, most of the registration centers visited in LRR and CRR covered a minimum of three other villages or communities, some of which were far from the main Registration Centre. The IEC officials indicated that each village was given a specific date on which its natives could register, thereby minimising overcrowding. At Baniko Kekoro registration centre in URR, the monitoring team was informed that the village of Touba Tafsir, about 4 kilometers from Baniko where these villagers travel to register, had requested IEC to allocate to it its own registration center. However, this request was denied. Residents of Jenoi in the LRR, who in previous years would travel to Pakalinding to register, had their own registration center this time around.



Monitoring Team led by Vice Chairperson at Odeon Square (Cinema), Banjul

Main Observations

1. It was observed that the number of registered youths was minimal in some registration centres visited due to the standard definition of youths applied (persons 18-20 years of age) by IEC, which excludes persons aged from 21 to 35 years as per the national definition.
2. The number of attestation forms requested was high due to factors such as ineligibility based on lack of proper documentation, possession of invalid documentation, etc. In the rural areas, the problem may have been partly stemmed from the inadequate decentralization of the immigration and birth registration services as most people cannot afford the fees and the incidental costs of having to travel to the Greater Banjul Area or their Regional capitals to acquire national documents.
3. In terms of access, some registration centres were not disability, elderly, and pregnant women friendly.
4. Although persons with disability are assisted during registration and given priority, there were no sign language interpreters present in any of the centres visited, and documentation was not made available in braille form for the visually impaired.
5. There were some discrepancies with regards to requirements for registration. While all the other centres visited indicated that an eligible applicant can register at any location, the

Commission observed that in two centres in Banjul an applicant must be a resident, born or work in the area to be allowed registration.

6. In all registration centres visited, there were no issues or conflicts between political party agents and IEC Officials, or the public. The atmosphere in all the centres was amicable and peaceful and there was significant public compliance with electoral regulations.
7. Generally, compliance with COVID-19 guidelines was poor. Neither social distancing nor wearing of masks was observed by most of the IEC Officials, political party agents or the public.
8. Some technical issues, in particular the malfunctioning of the printers disrupted operations temporarily in many centres visited.
9. In some centres, some underage applicants acquired attestation from their respective community Alkalos. However, once detected, registration of the person was denied.
10. Some applicants with invalid documents such as old voters' cards and expired IDs in Lamin Koto were denied Alkalo attestation whereas others were issued attestation.
11. There were more women than men who registered during the registration period.
12. The quality of the printing in many centres was unsatisfactory. In some centres for instance, the cards displayed white lines on the pictures of the card owners.

General Recommendations

Despite the progress made, the 2021 voter registration exercise offers valuable lessons for future voter registration efforts. Based on the information received and observations made during the monitoring exercise, the Commission makes the following recommendations to ensure that future voter registration exercises are human-rights friendly and compliant.

Recommendations to IEC

1. Regularly visit and inspect voter registration centres to ensure issues relating to electricity and faulty equipment/machines are addressed to avoid disruption in the registration process.
2. Ensure that registration centres are spacious, so as to accommodate applicants in areas with high voter turnout. Centres should also be secured and shielded to avoid disruptions in the registration process due to rain or adverse weather conditions.
3. Make voter registration centres more accessible to the citizens so that they do not have to travel long distances to register.
4. Standardise rules of registration regarding location and ensure they are homogeneously applied throughout.
5. Ensure consistency in the definition of 'youth' as per current national Youth Policy.

6. Registration Centres should be strategically located to accommodate persons with disabilities, the elderly, and pregnant and lactating women, in order to enable them to exercise their right to register and to vote without hindrance.
7. Prior to selecting Registration Centre's locations, election authorities should consult local Organizations for Persons with Disabilities and ensure all registration centres are on the ground level so as not to hinder wheelchair or crutch users. Alternatively, ramps should be made available to ease their movement.
8. Sign language interpreters and translators should be placed at all centres where feasible or a team designated to be on standby to assist Registration Centres. Similarly, key documents should be made available in braille for the visually impaired.
9. Use of attestation in cases where potential voters are unable to satisfy eligibility requirements should be strictly limited. Where a person presents an expired national document, s/he should not be issued attestation but rather be encouraged to renew her/his documents. In future, it may be necessary to limit the use of attestation to exceptional circumstances to prevent its overuse and abuse.
10. Strictly apply Covid-19 or any other health guidelines at all centres and ensure adequate supplies of hand sanitisers and facemasks which are regularly replenished.
11. Provide adequate number of printers at all centres. In the case of centres with poor quality printing, it is recommended that these cards be replaced. Where this is not possible, the Commission urges IEC to ensure that eligible voters with such cards have access to voting on the election day without difficulty.
12. Enhance the training of voter registration staff to ensure they adequately understand the voter registration procedures, rules and regulations including the role of observers in the process
13. Enhance collaboration with relevant stakeholders to conduct widespread voter information campaigns sufficiently ahead of the voter registration process to ensure that citizens are aware of the process and how to actively participate in it.
14. Provide more than one laptop and printer to each voter registration Centre to avoid disruptions due to technical issues.
15. Locate registration centres in sheltered spaces with toilet facilities.
16. Enhance partnership with institutions that are interested in election processes to sensitize law enforcement officials and CSOs on their roles before, during and after elections.

Recommendations to Government

17. Enhance access to immigration services for citizens to acquire their required national documents.
18. Make the issuance of birth certificate automatic upon birth at all health centres.
19. Make the costs charged for acquiring national documents such as IDs and passport affordable to average Gambians.

Annexes

Annex 1: List of Teams

Team	Person	Designation	Region
A	Jainaba Johm	Vice Chairperson	KMC & BCC
	Sirrah Jah	Legal Officer	
	Babucarr Njai	Investigating Officer	
	Bai Mass Mbaye	Programme Officer: M&E	
B	Njundu Drammeh	Commissioner	LRR & CRR
	Mansour Jobe	Director of Legal and Investigation	
	Aminata L.B. Ceesay	Investigating Officer	
C	Emmanuel Daniel Joof	Chairperson	CRR & URR
	Sainey Bah	Legal Officer	
	Fatou Gaye	Legal Officer	
D	Baba M. Leigh	Commissioner	WCR & NBR
	Paul C. Mendy	Director of Human Resources	
	Modou Sowe	Investigating Officer	

Annex 2: List of Registration Centres

No.	Centre	Region
1	Banjul City Council (BCC)	Banjul
2	Methodist Primary School (Wesley)	
3	Gambia High School	
4	Banjul South (Lassowharf)	
5	Talinding Bantaba	KMC
6	Latrikunda St. Charles Lwanga LBS	
7	Odeon	
8	Latrikunda Picaddily (Agriculture Camp)	
9	Talinding Buffer Zone (Ahmadiyya Hospital)	
10	Latrikunda Sabiji (Plasas Annex Basic School)	
11	Talinding Lower Basic School	
12	Kaiaf	Kiang East
13	Nema Kuta	Kiang East

14	Kiang Batelling	Kiang West
15	Jenoi	Jarra West
16	Soma New Town	Jarra West
17	Buiba	Jarra Central
18	Sutukung	Jarra Central
19	Sotokoi	Niamina East
20	Batti Njol	Niamina East
21	Fass Abdou	Lower Fulladu West
22	Fulabantang	Lower Fulladu West
23	Faraba	Lower Fulladu West
24	Cha Kunda Madina	Upper Fulladu West
25	Dobang Kunda Kebba	Upper Fulladu West
26	Librass	Upper Fulladu West
27	Galleh Manda	Upper Fulladu West
28	Touba Ousman (Kerr Ousman Boye)	Upper Fulladu West
29	Sait Maram	Niani
30	Wassu	Niani
31	Kaur Wharf Town	Lower Saloum
32	Simbara Khai	Lower Saloum
33	Batti Ndarr	Upper Saloum
34	Laminkoto	
35	Dobo	
36	Ranerou Samba Ngai	
37	Baya Ba	
38	Jimara- Gambisara	
39	Koro Jula Kunda	
40	Sare Jawbeh	
41	Fatako	
42	Tabajang	
43	Manneh Kunda	Basse
44	Kabakama	
45	Sare Musa	
46	Baniko Kekoro	
47	Tumana- Kulkuleh	
48	Brufut Father's School (Dutabakoto)	WCR
49	Jabang Mosque	
50	Model Bantaba Sukoto	
51	Tampoto	
52	Batending Kajera Bantaba	

53	Kanilai Primary School	NBR
54	Mayork Health Centre	
55	Maka Farafenni Bantaba	
56	Farafenni Primary School	
57	Conteh Kunda Neggi	
58	Nyeribaya Bantaba	
59	Sinchu Palen Bantaba	
60	Mbambri Kunda Health Centre	
61	Toroba Bantaba	
62	Suwareh Kunda Bantaba	
63	Njaba Kunda Bantaba	
64	Fass Njagga Choi Market	
65	Essau B Senior Secondary School	
66	Barra Bantaba	
67	Samba Kalla Health Centre	

Annex 3: Checklist

How long has the registration center been open?	
Comment	
Was the opening and closing of registration centres reasonable to allow more eligible voters to register?	
Comment	
Have there been any closures or disruptions in the process (due to violence, lack of or non-working of equipment, etc.)?	
Comment	
Are voter registration procedures being followed?	
Comment	
How many people have registered there? Disaggregated by gender	
Comment	

Does the location of the registration center, its hours of operation, its staffing or other factors create a hindrance for persons with disabilities? Do they receive any kind of assistance?	ICERD, art. 5; CRPD, art. 9
Comment	
Does the location of the registration center, its hours of operation, its staffing or other factors create a hindrance for women?	
Comment	
Have people been denied registration for improper reasons? How many?	
Comment	
Has there been any interference with registration, intimidation, or coercion of potential voters?	ICCPR, General Comment 25, para. 11
Comment	
What personal data is collected for registration of voters?	
Comments	
In rural areas, are citizens travelling long distances in order to register? If so, how far?	
Comments	
Are social distancing and face mask guidelines being followed at voting registration centers?	

Were there inhibition or barrier regarding the participation of eligible voters in the registration process?	ICCPR, General Comment 25, para. 11
Comment:	
Comments	
Have any complaints been filed about the process of voter registration or the voter register? What action has been taken on these complaints?	
Comments	

