



AFRICAN CENTRE FOR DEMOCRACY AND HUMAN RIGHTS STUDIES (ACDHR)

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PRESS STATEMENT

The Governing Council of the African Centre for Democracy and Human Rights Studies (ACDHR) and the Steering Committee** of the Forum of the Participation of NGOs in the Ordinary Session of the African Commission on Human and Peoples' Rights hereby wishes to add its voice to the numerous calls by its partners from diverse quarters being made calling on the outgoing President of the Republic of The Gambia to respect the will of the Gambian people.

On Friday, 2 December, 2016 the much awaited election results were released by the Independent Electoral Commission (IEC) of The Gambia, showing the defeat of the incumbent President Jammeh by the Coalition opposition candidate, Adama Barrow.

To the awe, shock and pride of the Gambian people, its partners and well wishers, President Jammeh conceded and proceeded to call the President elect which was televised for all the nation to see. The cordial exchange between the two sons of the soil was indeed a move worthy of emulation.

It is, therefore, with grave concern that on Friday, 9 December, 2016 outgoing President Jammeh, yet again made another unexpected announcement on national television to annul the said results because of 'unacceptable irregularities' in the vote that cost him power' and demanded a re-run of the polls, despite having said that 'it was the most transparent election the world has ever seen'.

He therefore informed the nation of his intention to petition this matter legally before the Courts. Apart from throwing the nation back into uncertainty and much feared insecurity, this later move is against the grain and contravenes the letter and spirit of the Constitution, not to mention the human rights instruments to which The Gambia is a state party. It is the general opinion of citizens, and the international community that such a Declaration which can best be described as the rape of democracy and a serious violation of the basic principles of democracy which goes against the will of the people.

Meanwhile, latest reports that reached us on 13 December, 2016 is that the IEC Chairman and staff have been evicted from their offices, which is now under the guard of Military officials.

While it is President Jammeh's absolute right to petition the Supreme Court under normal circumstances, the Court, at the moment has no quorum for such hearings. Any attempts to re-constitute them for the sole objective to serve the outgoing President would be seeking to jeopardize the will of people and is tantamount to a Coup d'Etat.

As promoters and defenders of democracy, human rights and the rule of law in Africa, we believe in peace and stability and we therefore reject any violation of the Gambian Constitution by the Outgoing President that

We hereby call on the outgoing President Jammeh to:

- Respect the election result and the will of the Gambia people and endeavor to work towards stepping down from power, with no prolongation of his rule beyond January 2017;

- Maintain the inviolability of the electoral process by sticking to his original undertaking to hand over power as peacefully as he had indicated without any pre-condition to the President elect, Adama Barrow;
- Respect the Constitution of The Gambia as well as all the regional and international treaties on human rights, democracy, elections and governance to which The Gambia is a state party, including the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Elections and Governance;
- ensure that any act of violence by security forces or attacks against journalists and human rights defenders in the country are averted during this period as he is still accountable until he hands over power.

Furthermore, we urge all Gambians, at home and abroad to maintain the peace and love for which land and the people are renowned.

We commend the firm stand and efforts of the African Union, the AU Peace and Security Council, The African Commission on Human and Peoples' Rights as well as the ECOWAS Heads of State particularly from Liberia, Nigeria, Sierra Leone and Ghana (Outgoing) as well as the Special Representative of the Secretary General of the United Nations that flew into Banjul on 13 December, 2016 to meet with incumbent Yaya Jammeh in a bid to advise him to step down.

Finally, in the interest of peace and stability, we urge various partners and stakeholders to continue to dialogue in order to ensure a peaceful transition in consonance with the Constitution and the will of the people.

Banjul, 13th December, 2016

***Member of the Steering Committee are: Central African Human Rights Defenders Network (Central Africa), Human Rights Institute of South Africa (Southern Africa), West Africa Human Rights Defenders Network (Western Africa), East and Horn of Africa Human Rights Defenders Network (Eastern Africa) and Arab Institute for Human Rights (Northern Africa)*