

## **Ambassadorial-Level Meeting of the Peacebuilding Commission on the Transitional Reform processes in The Gambia**

**23 November 2020**

### **Chair's Summary**

1. On 23 November, the Peacebuilding Commission (PBC) held a virtual Ambassadorial-level meeting on the 'Transitional Reform processes in The Gambia'. The meeting was convened by the Chair of the PBC, H.E. Mr. Bob Rae. The objectives of the meeting were to discuss the progress in the constitutional review, transitional justice, security sector reform, and other processes affecting good governance, and to identify how best the PBC can continue to support The Gambia's peacebuilding priorities. In his opening remarks, the Chair noted that, since the last PBC meeting on The Gambia in June, there had been significant developments, including challenges in adopting a new constitution, the resumption of the public hearings of the Truth Reconciliation and Reparation Commission (TRRC), progress towards the adoption of the Security Sector Reform Strategy and early preparations for the next electoral cycle.
2. The Minister of Foreign Affairs, International Cooperation and Gambians Abroad of the Republic of The Gambia, H.E. Mr. Mamadou Tangara, expressed the government's commitment to creating an enabling environment which encourages constructive feedback by all constituents and permits vigorous engagement of the country's active civil society. The Minister underscored the importance of regional strategies to address organized crime, trafficking, terrorism and violent extremism. He recognized the crucial role of the PBF, particularly the Fund's support to initiatives that aim to empower young women and men to play leading roles in democratic processes. He also welcomed PBF support for the prevention of violence and hate speech, which is in alignment with The Gambia's priority areas of democracy, transparency, rule of law, and economic growth for sustainable peace and development.
3. The Minister of Justice and Attorney General of the Republic of The Gambia, H.E. Mr. Dawda A. Jallow, provided a comprehensive briefing on the status of the ongoing transitional reform processes. The Minister informed that '*The Constitution of the Republic of The Gambia, 2020 (promulgation) Bill*' had been rejected at the National Assembly due to differences over the incumbent President's term of office; the low threshold for the impeachment of the President; confirmation of Ministers before the national assembly and citizenship. The Minister stressed the need to resolve the constitutional impasse by seeking the support of Eminent African personalities. He informed that the International Institute for Democracy and Electoral Assistance (IDEA), in conjunction with the Ministry of Justice, had engaged experts to make suggestions on ways of overcoming the contentious issues. On 22 October, the Cabinet mandated the Minister of Justice to initiate dialogue with all stakeholders, including political

parties, civil society, women, youth and religious groups, to reach a consensus on the draft constitutional bill. The consultation process is expected to be completed, with support by the UN and other partners, by the end of 2020. He updated the Commission on the imminent launching of the National Security Strategy (NSS) and the Security Sector Reform Strategy (SSRS) and informed that the final report and recommendations of the TRRC would be submitted to the Government by June 2021. With respect to elections, he explained that the Elections Bill would be tabled before the National Assembly during the December 2020 session, and expressed hope that the shortfall in the UNDP electoral basket fund for the 2020-2022 electoral cycle would be overcome.

4. The Deputy Special Representative of the UN Secretary-General for West Africa and the Sahel, Ms. Giovane Biha noted that expectations for the constitutional review were high following two years of broad-based consultations. She stressed the importance of strengthening rule of law institutions and the justice system so as to ensure that TRRC recommendations could be implemented. She explained that new impetus was needed to revitalize the SSR process, noting that the 2020-2024 SSR strategy and the National Security Strategy are key stepping stones for the operationalization of the National Security Policy. She also highlighted the need to move forward with the recommendations of the 2019 Security Sector Reform Technical Assessment Mission of the United Nations, a key recommendation of which was the convening of an executive-level dialogue on SSR. She underscored the critical role of the PBF, which has allocated over US\$15 million since 2017 in support of transitional reform processes, including support for the engagement of over 35,000 Gambians in the TRRC, whilst an additional amount of about US\$3 million was being finalized for approval at the time of the meeting. She also stressed the importance of inclusivity and transparency as well as of mainstreaming a human rights lens in any potential future funding in coordination with donors, ECOWAS and other development partners.
5. The Special Representative of the President of ECOWAS to The Gambia, H.E. Ms. Vabah Gayflor, informed of a UN/ECOWAS initiative that aims to place the constitutional process back on track through stakeholders' analysis and exploration of possible scenarios. She expressed concern about the limited time frame for the IEC to effectively conduct electoral reforms prior to the presidential election, particularly in terms of moving from marble to paper ballots, demarcation of constituency boundaries, and voter registration. She also noted that delays in the implementation of SSR damage the populations' perceptions of and trust in the security forces, and recommended PBC attention to and support for the government's efforts to rightsizing the security forces. She also recommended to help build the capacities of civil society organizations to better monitor the implementation of transitional reform processes.
6. The National Network Coordinator of the West Africa Network for Peacebuilding (WANEP), Ms. Salama Njie, highlighted the role of civil society organizations (CSOs) in the constitutional

review and transitional justice processes. She echoed concerns of the civil society over the rejection of the Constitution Promulgation Bill 2020, warning of the negative repercussions on the transitional justice processes and legal reforms. She stated that the draft constitution speaks to the aspirations of The Gambian people, and informed that a broad array of civil society organizations have been engaging government officials and political party leaders on the need for continued dialogue to unblock the constitutional review process. Ms. Njie stressed the pivotal role of women in the transitional reform processes as a prerequisite for sustaining peace in The Gambia. She emphasized the importance of ensuring women's equal and active participation in peacebuilding and decision-making processes. In that context, she welcomed the training and mentoring, with PBF support, of 95 female political aspirants from the 16 registered political parties ahead of 2021-2023 electoral cycle.

Member States welcomed the briefings and made the following observations:

- They reiterated their commitment to help mobilize international support for the government's peacebuilding priorities and welcomed the resumption of the public hearings by the TRRC and the progress made in the transitional justice process, especially in terms of community outreach, including to the diaspora, which is essential for ensuring justice and accountability for victims and promoting national healing and reconciliation.
- They expressed concern about the current impasse in the Constitutional review process and encouraged the Government of The Gambia to continue its efforts to engage in dialogue and build consensus with all relevant stakeholders around the constitutional draft with a view to re-table it at the National Assembly. They took note of the participation of civil society groups in the process and encouraged the Government to continue its dialogue and consultations to ensure inclusivity and transparency in the review process that reflects the aspirations of the Gambian people. They also welcomed efforts for the establishment of an independent panel as well as external mediation with a view to unblocking the impasse and re-tabling the draft Constitution to allow for it to be put for referendum by June 2021, well ahead of the general elections in December 2021.
- They acknowledged that the stalled constitutional process is likely to impact on the other overlapping reforms, notably the transitional justice and security sector reform processes. They welcomed steps taken to formally adopt and begin the implementation of the 2020-2024 Security Sector Reform Strategy (SSRS) and the National Security Strategy, which should pave the way for the operationalization of The Gambia's National Security Policy. In that regard, they welcomed continuous collective efforts by the UN system and partners to help enhance capacity of national SSR coordination and oversight bodies and to align international SSR assistance to national reform priorities.
- They praised the Government of The Gambia for its efforts to enable the meaningful participation of civil society organizations in peacebuilding efforts. In that regard, the Commission recognized the important work of the West Africa Network for Peacebuilding (WANEP) and the Association of Non-Governmental Organizations in The Gambia

(TANGO) and encouraged further international support to help empower young women and men who are in the frontlines of peacebuilding work on the ground, and who have so far played a critical role in the transitional reforms. They also emphasized that support for their work has become all the more important in view of the COVID-19 pandemic.

- They stressed the need for continuous support for the participation of women and youth in the transitional reform processes and for more robust action to promote gender equality, including by continuing to empower women peacebuilders and to protect women against all forms of gender-based violence.
- The Commission welcomed the preparations of the Independent Electoral Commission (IEC) for the presidential election in December 2021, the National Assembly elections in April 2022 and the local government elections in May 2023. They called upon The Gambia's partners to help cover the 90% budget gap for the implementation of the IEC's support project, developed by UNDP, for the 2020-2022 electoral cycle.
- In view of the additional challenges posed by the COVID-19 pandemic, they underscored the need to strengthen partnerships with international financial institutions with a focus on addressing root causes of conflict and building economic resilience, including through additional support to the informal and tourism sectors, which employ a great percentage of women.
- The Commission noted the contributions of the Peacebuilding Fund in support of peacebuilding in The Gambia and some members expressed hope that the replenishment of the PBF in January 2021 will enable it to continue supporting critical peacebuilding priorities in The Gambia, contingent upon the government's continuous commitment for inclusive and transparent reform processes.