

Managing President Yahya Jammeh's Exit: “From Consolidated Autocracy to Consolidated Democracy”?

1.0 INTRODUCTION

"I have decided today in good conscience to relinquish the mantle of leadership of this great nation with infinite gratitude to all Gambians". Those were the words of President Yahya Jammeh on January 20, 2017 following a last minute diplomatic persuasion by the international community including the Presidents of Guinea and Mauritania and the UN Special Representative of the Secretary General to United Nations Office for West Africa and Sahel (UNOWAS). The statement marked the end of 22 years of President Jammeh's leadership of The Gambia and averted what many thought would have been a military intervention (with its consequences) by the Economic Community of West Africa States Military Intervention in Gambia (ECOMIG) led by Senegal. The intervention is in fulfilment of the resolution of Authority of Heads of State and Government during their 50th Ordinary Session of December 17, 2016 in Abuja Nigeria.

The resolution recognised and upheld the result of 1st December 2016 Presidential election in the Republic of The Gambia despite the rejections by President Jammeh claiming error in computation of the results. The Authority of Heads of State and

Government further appointed the Nigerian President, Muhammadu Buhari and former President of Ghana John Dramani Mahama as the mediators. All efforts by the mediators supported by the United Nations and African Union to prevail on President Jammeh to reconsider his position and accept the results were unsuccessful. It forced ECOWAS to opt for a military intervention as a last resort in Gambia.

As the security situation continued to

deteriorate, the winner of the December 1 elections, Adama Barrow, was extricated to Senegal where he was later sworn in at the Gambian Embassy on January 19, 2017 despite the continued resistance to vacate the presidency by Yahya Jammeh. It was clear to all stakeholders that a military action was imminent as the United Nations Security Council upheld the decisions of ECOWAS and AU and urged President Jammeh to step down. This was amidst controversies around a 90-



Adama Barrow is sworn in as president of Gambia at the country's embassy in Dakar, Senegal.
PHOTO: ASSOCIATED PRESS

West Africa Early Warning & EARLY RESPONSE Network (WARN)

The West Africa Early Warning Network (WARN) is an integral part of the West Africa Preventive Peacebuilding Program co-ordinated by the West Africa Network for Peacebuilding (WANEP). Through its WARN Program, WANEP is setting the stage for a civil society-based early warning and response network in Africa with emphasis on human security.

WARN covers the entire Economic Community of West African States (ECOWAS) region.

Since 2002, WANEP entered into an agreement with ECOWAS through the signing of a Memorandum of Understanding (MOU) in the framework of capacity building in Conflict Prevention. One of the goals of

this agreement is to interface WARN with the ECOWAS Early Warning Systems to optimize early warning conflict prevention in West Africa. In view of this development, WANEP has been operating a liaison office located at the ECOWAS Secretariat in Abuja, Nigeria since April 2003.

In recognition of the role and achievements of the West Africa Network for Peacebuilding (WANEP) in Conflict Prevention and Peacebuilding in Africa, particularly in West Africa, the Economic and Social Council of the United Nations at its substantive session of 2006 granted WANEP Special Consultative Status to the UN. WANEP is therefore mandated to designate official representatives to the United Nations in New York, Geneva and Vienna to further its advocacy and outreach strategies for peace and human security.

day State of Emergency and extension of President Jammeh's term in office approved by the Gambia National Assembly.

An ultimatum was handed over to President Yahya Jammeh, to hand over power by midday of Friday January 20 2017 and agree to leave Gambia or face military action by the ECOMIG. A four-hour stay of military action in Gambia by ECOWAS was provided as further opportunity for last minute negotiations by Mauritania and Guinea President supported by the Special Representative of the UN Secretary General to convince President Jammeh to concede and leave the country.¹ The hope of a non-violent transition was raised by the public pledge to serve the newly sworn in president by the Gambia's Chief of Defence Staff, General Ousman Badjie.

On January 22, the interlocutors succeeded in getting President Jammeh to leave the country on exile to Equatorial Guinea via Guinea Conakry as reflected in a communique based on the outcome of the negotiation process.

With the exit of President Jammeh and the new leadership in place, this policy brief aims to highlight the tasks ahead and the roles of the various stakeholders on the short and long-term basis. It stems from the understanding that a transition from autocracy to consolidated democracy is usually fraught with diverse challenges and requires a multi-stakeholders approach to ensure its sustenance.



Gambian President Yahya Jammeh attends a meeting with a delegation of West African leaders during the election crisis mediation at the presidential palace in Banjul, Gambia December 13, 2016.
NEWSWEEK.COM / STRINGER/REUTERS

2.0 OVERCOMING IMMEDIATE CHALLENGES

As Gambia undergoes its democratic transition to stabilize the new government, it faces a number of daunting post-election challenges, which raises key questions: Will the coalition government have the capacity to address these challenges? Is reconciliation at all levels possible post Jammeh?²

The Gambia and the new coalition government face the immediate task of reconciling a much-divided country along party lines and ethnic cleavages; religious and parochial interest as well as divided loyalty among the ranks and file of the security forces. Following 22 years of what many be described as an autocratic rule; the transitional government is expected to tackle the difficulty of rebuilding, rebranding and reintegration in order to garner the confidence of the citizenry.

The immediate challenge facing the country and requiring the attention of the transitional government includes:

- **Restoration of State confidence and control of the Security Structure:** The greatest challenge of the incoming administration in The Gambia is the ability to rebuild allegiance, control and confidence in the security sector.

Loyalties and bias of the military and other security institutions to the former President after 22 years in power will require properly developed security sector reforms. The military philosophy and indeed state security is embedded in the doctrine of Command and control. It is an essential element of the art and science of governance and reassures the President of his position as Commander in Chief.

- **Formation of Cabinet and reestablishment of the organs of government:** In the last days of former President Jammeh in office, the National Assembly with majority of its members from the ruling party, Alliance for Patriotic Reorientation and Construction (APRC), extended his tenure for 3 months under the guise of an emergency. This singular act as well as the role of the judiciary during the entire fiasco points to dysfunction of the State organs. This is even more challenging as the situation did not allow a proper transition process based on the ex-president's refusal to concede defeat. Navigating the transition process and forming a cabinet without any form of handing over notes has become evidently problematic especially with a newly formed coalition government comprising different interests and ideologies

¹ WANEP field monitors in Gambia; Reuters

² <http://gainako.com/reconciliation-revenge-gambias-post-election-dilemma/>

• **Improved Security and Reintegration of Citizens:** As normalcy returns in Gambia, its citizens are gradually returning amidst palpable fear and anxiety. There have been reports of threats on the lives of citizens by loyalists to the former president. These returnees are at risk of political or ethnic motivated attacks based on association. There are also fears of prosecution by loyalists to the past government due to their actions, political leaning to the APRC or ethnic linkages to the former president. Prejudice, stereotypes expressed through xenophobia. While the ECOMIG through their mission in the Gambia provide confidence, a highly militarized, post-identity-conflict society, with allegations of abundance of weaponry makes the eradication of physical and psychological threat of violence more difficult.

• **Dealing with External Influences and Pressures:** Containing the external influence and pressures especially from countries and individuals that contributed to the restoration of the mandate of the Coalition government is another immediate challenge. There has been increasing pressure to prosecute the outgoing administration based on allegations of corruption, human right abuses among others. There is also growing negative perception at some quarters within Gambia and beyond on the role of Senegal who provided not just the bulk of the intervention force but also accommodated the new President even after his swearing in at the Gambia embassy in Dakar.

• **Containing and managing fragile peace in neighboring countries:** The fragile peace in the Cassamance region of Senegal and Guinea Bissau and its implication to the dynamics of The Gambia is another security challenge that the transitional government faces. Already there are reports and allegations of arms in the hands of non-state actors and loyalists of the former president. With the proximity of these countries to The Gambia including ethnic ties, leaving uncountable arms in the hands of the wrong persons will add to the security risk of the country especially if not properly dealt with while the ECOMIG remains on ground



A man waves a Gambian flag while he celebrates the victory of Gambia's opposition candidate Adama Barrow during the Presidential Elections on December 2, 2016, in Serekunda, Banjul (AFP Photo/MARCO LONGARI)

3.0 THE PRESSURE OF REVENGE VS. RECONCILIATION

An eye for an eye makes the whole world blind,' is a famous quote by Mahatma Gandhi. Tit for tat' has always been an integral part of post conflict reconstruction process yet in human relationships, it is a bit difficult to reconcile societies through such approach. While the pressure to pacify victims of human right abuses under the President Jammeh administration is germane, the key question for the administration would be **when and how** in order not to further polarise the country.

• **National Reconciliation Process:** The process of reintegration and reconciliation demands inclusive systems of interaction. In a deeply divided society such as created by the 22 year administration of President Jammeh and circumstances surrounding his exit from power, recovering from identity conflict, requires problem-solving approaches that accommodate all parties and interests, incorporating meaningful participation from a broad base of community members, and focusing on long-term effectiveness, rather than short-term solution. While it is important to bring the perpetrators of injustice and human rights abuses to justice, a hybrid approach that focuses

on the lessons of the past and envisioning the future may be more appropriate. The national reconciliation should therefore take the peculiarities and cultural nuances of The Gambia including its history into account.

• **Release of all Political Prisoners:** Immediately after announcement of the election results on December 2 2016, an Appeal court in Gambia ordered the release on bail of top opposition politician Ousainou Darboe and 18 other protesters who had been arrested in April 2016 under outgoing President Yahya Jammeh. President Adama Barrow has further vowed to release more political prisoners. In a statement released by, Amnesty International, it welcomed the move as a positive step but cautioned against "forgetting other prisoners of conscience who still languish in jail simply for having expressed their opinion or participated in peaceful protests."³ Releasing these prisoners will be a good step towards national reconciliation. However, the loyalist of the former president may see it as an affront to the "legacies" of President Jammeh

• **Constitutional and Institutional Reform:** A key aspect of the focus of the incoming administration should be on the reform of state institutions. In a country that has been under a single

³ <http://www.voanews.com/a/new-gambia-president-vows-release-political-prisoners/3624598.html>



Gambians turned out massively and in earnest to welcome President Adama Barrow upon his return
(Picture credit: Sheriff Jadama)

rule for 22 years that analysts have adjudged autocratic and as not being inclusive, state institutional reforms should take prominence in promotion of sustainable peace and democracy. Since most of the agitations and the post-election tension have primarily focused on political and economic exclusion, reforming state institutions to promote democratic ideals will have

a pacifying effect. Reforms to promote non-violent, institutional conflict management can thus include the redesign of the structure of National Assembly including law making processes, independence of the judiciary, the electoral act, party system and voting processes, free press and freedom of information among others. It will send a very important signal if

term limit for the office of the president is included in the constitutional reform for the determination of the citizens

4.0 SCENARIOS

As the political dynamics in The Gambia continue to unfold and as the new administration gradually settle for business amidst obvious challenges, the following scenarios are envisaged

- **Best Case Scenario:** Upon return of President Barrow following the securing of the country with the assistance of ECOMIG, the coalition government meets and agrees on the cabinet, the cabinet is announced and the government is formed seamlessly; despite the lack of honorary transition process, civil servants in the various ministries would cooperate and work efficiently with the incoming government to ensure continuity and where necessary transfer of responsibilities from each of the ministries; refugees and internally displaced persons are fully rehabilitated to their homes, schools and businesses. *(Desirable but Less likely)*

- **Realistic Case Scenario:** ECOMIG during this initial six-month deployment insist on the reorganization of the security architecture; pockets of protests and agitations over perceived witch-hunting from the loyalists of former president Jammeh is curtailed; ECOMIG support the mopping up of illicit arms; Citizens confidence in the security is reestablished; The Coalition team is able to muddle through the transition period and gradually the country's normalcy is returned while focusing on the end of the 3 years transition plan *(Very Likely)*

- **Worst Case Scenario:** The Coalition is unable to manage the transition effectively owing to disagreements over power sharing formula; The three arms of government is unable to function effectively due to lacunas in the constitution; Loyalists of former president Jammeh continue to hold on to illegal arms; ethnic and parochial cleavages are entrenched; ECOMIG eventual exit and the period leading to the end of the transition period sparks off ethnic conflict reinforcing the fragility in the Senegambia region (*Undesirable but likely*)

5.0 RECOMMENDATIONS

- **ECOMIG to Support in the reorganization of the Army:** In order to provide confidence to the citizenry and incoming administration, the ECOWAS Standby Force - ECOMIG should support security sector reforms of the new administration in the next 6 months as announced by the President of ECOWAS Commission. They should focus on the reorganization of the military and other security forces, mob up arms from civilians and provide technical support for Gambia short to medium term security reform strategy. In this regard, the mandate of ECOMIG needs to be reviewed from mere security assistance to providing technical assistance in form of capacity building and military administration. A clear exit plan should be developed to ensure stability.

- **Engagement of an Independent Facilitator to Support the Coalition Government:** Since the Coalition government has been described as "Strange bird fellows", it will be exigent to engage independent facilitators to support their discussion on modalities for power sharing and forming the cabinet. The facilitator will also assist them in clarifying the content of the commitment made to the former president by the team of negotiators and contained in the communique jointly issued by ECOWAS, AU and UN and the expectations of the government. An option can be the engagement of the UN SRSG to UNOWAS who has been involved in the entire peace process and commands the respect of all the actors in the conflict

- **Development of Infrastructure for Peace:** In Conflict, the ability of parties to resolve and reconcile their differences is decisive and desirable. Strong national capacities for dialogue and reconciliation support the conflict transformation potential of a society. This requires institutional mechanisms that can provide the necessary structures, through the Infrastructure for Peace. Gambia is ripe for an infrastructure for peace that takes into cognisance its history and cultural nuances. It will cut across the different strata of the society and have eminent persons as members

- **Citizens Engagement and Institutionalized feedback mechanism:** In order to contain and curtail over expectations from the citizenry on the new administration, it is important to institutionalize a citizen's engagement and feedback mechanism. This will be a forum to discuss the challenges and actions of the government and provide feedback to the citizens

6.0 CONCLUSIONS

The challenge facing The Gambia after 22 years of Yahya Jammeh's administration is a movement from "Consolidated Autocracy to Consolidated Democracy". Therefore, coalition leaders must be effectively organized, united in spirit and purpose, as any mistrust among coalition partners or any misstep by these leaders could derail the transition. President Barrow must reunite a country that has been badly divided and polarized, especially in recent months.⁴

The expectation of Gambians both at home and in diaspora on the new government is high and justifiably so. While the pressure to bring all perpetrators of injustices to book, a deliberate pursuit of national support for peace and unity can strengthen the leadership to find a way forward to rekindle the hope and confidence of the country. The ability of the government therefore to prioritize and successfully implement programs that speak directly to current challenges including security sector reforms, national and community reconciliations, constitutional and institutional reforms, freedom of the press, a revamping of the economy and the deepening of democratic culture should be the cornerstone to the transition Government

⁴ <http://www.liberianobserver.com/commentaries/reconciliation-or-revenge-gambia%E2%80%99s-post-election-dilemma>

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