



PRESS RELEASE

24th June 2021

CHALLENGING ISSUANCE OF ATTESTATIONS BY MAYOR OF BANJUL

Gambia Participates and Centre for Research and Policy Development (both civil society organizations) and the Councilor for Box Bar Ward, Banjul North (Councilor Abdou Aziz Gaye) on June 23rd 2021 filed a summons before the High Court of The Gambia against the Mayor of Banjul (Rohey Malick Low), the Independent Electoral Commission (IEC) and the Attorney General challenging the legality and validity of the mandate accorded to the Mayor of Banjul to issue attestations to constituents of the City of Banjul in the ongoing Independent Electoral Commission general voter registration ahead of the December 4th Presidential and subsequent elections. It is our contention that the unlawful issuance of attestation to constituents is not in conformity with the relevant laws in the Gambia therefore a serious contravention of the Elections Act at the instance of both the Mayor of Banjul and the Independent Electoral Commission. We rely on the following provisions

- a. A declaration that the actions of the Mayor of Banjul in issuing attestations to constituents of the City of Banjul in the ongoing Independent Electoral Commission (IEC) general registration of the voter process are in contravention of section 12 (2) (e) of the Elections Act;
- b. A declaration that the actions of the Independent Electoral Commission (IEC) in conferring the power to the Office of the Mayor of Banjul to administer attestation forms generated by the IEC for the purpose of claiming voter cards in the City of Banjul are in contravention of section 12 (2) (e) of the Elections Act;
- c. An order quashing the decision of the of the IEC to bestow upon the Mayor of Banjul the power and authority to issue attestations to the Constituents of the City of Banjul;
- d. An order setting aside all attestation forms endorsed and or issued by the Mayor of Banjul for which voter cards were issued by the IEC.
- e. Consequently, an order striking-out and or cancelling all voter cards issued by the IEC that were supported by attestation forms issued and or endorsed by the Mayor of Banjul.

There is no legislation that mandates a “Mayor” to issue attestation to constituents in order to apply for a voter’s card as this power and authority is only vested to **Village Alkalo** or **District Chief (Seyfo)** as per section. 12(2)(e). Therefore, the actions of the IEC and the Mayor are in conflict with the laws governing voter registration and are therefore, ultra vires and a grave violation of the Election Act and other relevant laws.

Elections are significant but sensitive matters and it is thus important for the laws governing elections to be well followed in order to mitigate the occurrence of both pre and post elections instability. Thus, we deemed it necessary to take this legal action for the best interest of our national security, impartiality and the rule of law.

Signed: Marr Nyang, Sait Matty Jaw and Abdou Aziz Gaye