

ELECTION MANIFESTO

ADAMA BARROW, INDEPENDENT CANDIDATE SUPPORTED BY COALITION 2016

1. INTRODUCTION

People Centered State administration requires appropriate Constitutional and institutional developments complemented by appropriate policies, strategic plans, programmes and projects aimed at improving the general well-being of the citizenry.

Disregard of Constitutional provisions aimed at protection of the citizenry and lack of financial discipline in state administration has transformed Gambia under the APRC into a Heavily Indebted Poor Country which is being increasingly isolated because of governance practices that are in contravention to Good Governance, Rule of Law, Democracy, Human Rights and Substantive Justice.

In this regard , I have offered myself as an Independent Candidate who will serve for only three years at the head of a broad based and inclusive Coalition Government aimed at conducting Constitutional, institutional and administrative reforms that would establish the foundation of a democratic system of administration that would put an end to the culture of impunity and self-perpetuating rule and usher in an era for Gambians to enjoy liberty and prosperity under a system of government that is sensitive and responsive to the needs and aspirations of its citizenry .

2. TOWARDS ECONOMIC STABILISATION AND SUSTAINABLE DEVELOPMENT

The transitional Government will take note of the economic disequilibrium being experienced under the APRC.

The negative growth of 7.2 percent experienced by the Agricultural Sector in 2014; the insignificant positive growth of 2.7 percent of the Industrial Sector and the negative growth of 8.1 percent in the Service Sector confirm that the Economy is in decline.

The fluctuation of prices, exchange rate of the Dalasi and the sustained budget deficits and internal and external borrowing has resulted in a growing imbalance between revenue and expenditure and export and import thus resulting in poverty, joblessness and low income.

The transitional government will introduce financial discipline both in terms of fiscal policy and public spending. It will give emphasis to revenue generation while encouraging expenditure based on means so as to reduce dependence on debt to meet budgetary requirements.

It will strive to increase the income of low earners such as pensioners and those at the lower grades.

It would put in place programmes aimed at enhancing the growth of the agricultural, industrial and service sectors as well, as the informal sector of the economy

The aim of the transitional administration is to stabilize the fundamentals of the economy and then push towards sustainable growth so that any new administration would have a strong economic foundation which would serve as a spring board for more growth oriented policies.

3. SOCIAL SERVICES

i) Education

The Coalition Government would work towards delivering quality and relevant basic education that is free, accessible and compulsory

It will take major initiatives to make Secondary Education affordable and accessible to all those who have the qualification

It would make tertiary Education relatively accessible and affordable to all those who have the qualification.

Teachers and Learning materials would be given priority

ii) Health

Primary health care focusing on the basic health needs of the population will be the basis of the health delivery system of the Coalition. Its preventive aspect will be given primary consideration. The Coalition Government will subsidize primary health care delivery system and strive to make it affordable and accessible to all.

Other health delivery services shall be made more accessible and more affordable

4. GOOD GOVERNANCE

- a. The transitional government shall treat all Gambians equally regardless of gender, political, religious and tribal affiliation;
- b. The transitional government shall respect and protect the fundamental principles of humans and people's rights;
- c. The transitional government shall exercise impartiality among all stakeholders;
- d. The transitional government shall not engage in any form of revenge or witch hunt against its citizens;
- e. The transitional government shall respect and honour all the international conventions and treaties that The Gambia is a signatory to;

5. Cabinet Composition

- a. The Transitional Cabinet shall comprise the following Ministers:
 - 1. Vice President and Minister for Good Governance and Gender Affairs
 - 2. Minister of Finance & Economic Affairs
 - 3. Minister of Foreign Affairs and Regional Integration
 - 4. Minister of Works and Infrastructure
 - 5. Attorney General and Minister of Justice
 - 6. Minister Defense
 - 7. Minister of Interior
 - 8. Minister of Higher Education & Technology

9. Minister of Basic & Secondary Education
10. Minister of Industry, Trade, Employment
11. Minister of Information & Information Technology
12. Minister of Regional Administration and Lands
13. Minister of Health
14. Minister of Agriculture; Forestry, Environment & Climate Change
15. Minister of Youth & Sports
16. Minister of Fisheries & Water Resources
17. Minister of Tourism & Culture
18. Minister of Energy
19. Minister of Social Welfare, the Physically Challenged and Children Affairs

All Presidential appointments and removals will be done in consultation with Coalition stakeholders.

6. ON DEMOCRACY AND RULE OF LAW

The Coalition Government will promote and entrench the sovereignty of the people;
eradicate vestiges of self-perpetuating rule;

empower citizens to defend their sovereignty and to have control over public authority as equal stakeholders;

undertake institutional reforms of the executive, legislature, judiciary, civil service and other oversight institutions such as the office of the Ombudsman and the Independent Electoral Commission (IEC);

establish a body Jurists and competent personalities to review the constitution with a view to cleansing it of all provisions which are inimical to democracy and the rule of law; review the Elections Act to remove provisions such as prohibitive deposits for Presidential, National

Assembly, council and Mayoral elections which hinder citizens from exercising their right to be elected to elective positions.

In tune with section 39 of the 1997 constitution and also sections 11 and 141 of the Elections Act, enfranchise Gambians abroad to vote.

Establish a Constituency Boundaries Commission in compliance with section 50 of the 1997 constitution; Propagate Constitutional amendments to restore the provision of section 48 of the Constitution that makes it a requirement for a Presidential candidate to have more than 50 percent of the valid votes cast before assuming the office of president in the first ballot.

Section 63 (1) of the 1997 Constitution will be subjected to a referendum to introduce the two term limit.

An Act of the National Assembly should be enacted to determine the procedure of the referendum to be held after a vote of confidence against a president is cast under section 63(5) of the Constitution.

To strengthen parliamentary oversight under a coalition government, efforts shall be undertaken to amend Section 91 of the Constitution so that any member of parliament who is dismissed by a party would automatically be an Independent candidate.

To make the member accountable to the electorate, an Act of the National Assembly shall be enacted to provide the procedure to enforce Section 92 of the Constitution which provides the right to recall representatives to the electorate.

To ensure judicial oversight the Independence of the Judiciary will be buttressed by undertaking constitutional amendments which would link any removal of a judge, magistrate or member of a district tribunal to be determined by judicial enquiry by a tribunal headed by competent judges.

To ensure security or tenure of the members of the IEC, Section 42 of the Constitution will be amended to make it impossible for any member of the Commission to be removed without judicial enquiry by competent judges.

A freedom of Information Act shall be enacted to strengthen media oversight.

An NGO Act shall be enacted to promote Civil Society oversight

The law Reform Commission shall be restructured and revitalised to enable it to guide Constitutional and legal reform process to consolidate the rule of law.

Protect civil servants and disciplined forces from being use for partisan political objectives;

Ensure equal access to public facilities as required by section 26 of the 1997 constitution;

open the public media to divergent views and opinion as required by section 208 of the 1997 constitution;

Repeal the legal requirement of political parties having to apply for permits before using amplification facilities and instead introduce a consultative mechanism that enables the police to determine which party has the user right to a meeting place on a first come first serve basis

Prevent leaders from encouraging self-perpetuating rule, the coalition administration shall put in place a term limit of two mandates of five years each;

repeal the maximum age limit for the presidency as stipulated in section 62(1b) of the 1997 Constitution;

empower the National Council for Civic Education both in terms of human and financial resources for them to become more apt to conduct civic education programs on a nation wide scale ;

put in place a mechanism of preventing fraudulent registration in compliance with sections 39 and 41 of the 1997 constitution.

7. ON HUMAN RIGHTS AND JUSTICE

i) The Coalition government and its agencies will respect and uphold human rights as provided in the Constitution, ECOWAS and AU protocols and International Conventions.

ii). General Amnesty to Prisoners

All prisoners of conscience must be freed so that they can contribute their quota to the development of The Gambia.

The following categories of prisoners will be granted amnesty :

all those jailed in relation to charges of treason, false news, false publication, sedition, libel, Public Order Act offences, giving false information to a public servant.

iii). Withdrawal of Cases without Merit

Many cases are without substance. All cases without merit especially that of remanded prisoners that are stagnant will be reviewed without delay by a committee appointed by the Attorney General and all charges without merit will be dropped.

iv). Release of Detainees

A list of detainees who have never been charged and put on trial and are in custody for more than 72 hours in contravention to Section 19 of the Constitution will be provided to the Attorney General.

A committee will be set up by the Attorney General to review the case files, if any, of such detainees and make appropriate recommendations for immediate release and provide other remedies including the payment of compensation.

v). Addressing the Issue of Torture and Death in Custody

Many allegations of torture have been reported by the media and made by accused persons in their testimonies in court. Reports of disappearances without trace are common. There are also cases of death under detention without the institution of any proceedings by the Coroner.

The Coalition Government shall set up a truth and reconciliation commission to enhance the healing of wounds that have caused pain and trauma through a cycle of confession, repentance, forgiveness and reconciliation. The commission will be empowered to recommend remedies for injustice including payment of compensation by the state, as it deems fit.

vi). Gambians in the Diaspora

Many Gambians are abroad because of inadequate political environment conducive for the free expression of divergent views in the media and free exercise of dissent;

The coalition government will reconstruct a new Gambia free from persecution and impunity where democracy and the rule of law thrive and where dissent and free expression of divergent views are tolerated. The Coalition government will extend an olive branch to all Gambians in exile to return unconditionally without fear of being prosecuted for any allegations against them.

vii). REPEAL OF LAWS THAT ARE IN CONTRAVENTION OF BEST PRACTICE IN UPHOLDING HUMAN RIGHTS

The provisions of Chapter Four of the Constitution protect our fundamental rights and freedoms, but certain laws some of which were enacted since the colonial period contravene the best practice in safeguarding these rights. It is as if the Constitution is giving rights to its citizens and other laws are ousting those rights.

- a) The Coalition Government endeavours to propagate legislation to revoke all provisions of law criminalising speech including libel, sedition, false news and false publication within six months of assuming political office .
- b) Laws on official secrets will be amended to promote public accountability and transparency in public office
- c) Public Order Act, Laws of The Gambia 2009 gives too much power to the Inspector General of Police and does fetter freedom of association and assembly. The Coalition government will repeal any provision in the Public Order Act which is not reasonable and justifiable in a democratic society such as those which hinder peaceful procession to highlight public grievances which is the min tool for exercising civil society oversight over the governance process.
- d) Criminal Code Act, Laws of The Gambia 2009 – section 114 which relates to giving false information to a public servant. Quite often persons who petition the president are prosecuted in violation of section 25 paragraph (f) which protects the right of every person to freedom to petition the Executive for redress of grievances.

viii). Enlargement of Protection of Human Rights

Apart from revoking or amending laws which hinder human rights there will be need for the enactment of laws, the establishment of institutions and law enforcement practices which will enlarge and protect rights and freedoms. We propose the following laws, policies and practices:

a) The Coalition government will enact a Freedom of Information law in consultation with the GPU and the media fraternity to enhance access to official information and strengthen media oversight of governance. This will facilitate transparency and accountability.

A new Freedom of Information law will repeal the Newspaper Act and incorporate part of the Information and Communication Act to facilitate easy avenues to establish media houses, the issuing of broadcasting licences which does not encroach into media freedom and the establishment of an independent broadcasting regulatory body.

The law will seek to provide alternative dispute resolution measures and peer pressure to address any abuse of professionalism and civil suit in case of libel rather than criminalising speech.

b) Invoke section 18 of the Constitution to facilitate a referendum on the abolition of the death penalty within a year to make life imprisonment the maximum penalty.

Imprisonments leave much to be desired. There is need for prison reform.

Within a month from assuming office the Coalition Government will set up a Commission of Inquiry into the places and conditions of detention before and after conviction with the objective of putting an end to torture, rape, inhuman and degrading punishment or treatment and poor conditions of imprisonment. The findings will provide ingredients for prison reform, upgrading of police cells and amenities such as food, sanitation, access to legal counsels and next of kin. The Commission will enquire into disappearances without trace and long detention without bail to ensure that bail is accessible and affordable.

d) The Coalition government will set up a Commission of Inquiry to look into any claim of seizure or damage of any legally acquired property without just compensation to protect the right not to be deprived of one's property.

e) Even though the Constitution makes provision for fundamental rights and freedoms the state treats those rights with disregard and the rights of citizens are not protected. Hence many are unlawfully detained for more than 72 hours and the detainees and their families appear helpless in protecting their rights especially since court orders are treated with disregard.

The Coalition government shall promote the right to fair hearing and speedy trial. It will respect and protect the Independence and Impartiality of courts and judges.

It shall oversee the establishment of a Judicial Service Commission that would enable the judiciary to carry out judicial oversight in protecting and enforcing respect of rights.

It will also establish an independent National Human Rights Institution as an oversight institution empowered to order the release of persons detained unlawfully and having unlimited access to all places of detention. The institution will also have power to stop unlawful practices at detention centres such as torture.

f) The Coalition Government will protect freedom of religion, belief and worship.

ix). International Conventions

More than a dozen international conventions on human rights have been ratified. Three of them have been domesticated. The UN Convention against all forms of Discrimination against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) now form part of the Women's Act 2010. The UN Convention on the Rights of the Child is part of the Children's Act 2005.

The conventions that have been ratified will be reviewed for the purpose of domesticating them.

About half a dozen other conventions are yet to be ratified. Efforts will be made to ratify them.

8. ON NATIONAL RECONCILIATION

The Coalition stakeholders will assume the task of educating coalition supporters, in particular, and the nation, at large, on the election rules and promote exemplary display of mature citizenship during the 2016 electoral process and beyond.

We will promote national reconciliation so that the sovereign Gambian people, irrespective of ethno-linguistic (tribe), religion, gender or other sectionalist considerations, would be united to prove our common bond of citizenship.

The coalition leaders would be encouraged to buttress this point in all their messages to the electorate.

The Coalition Government will conduct civic education on print, electronic i.e. radio and television, social media and any other outlets, singly or in collaboration with other stakeholders, to promote tolerance of diversity and national reconciliation.

The Coalition government will propagate laws, institutions and programmes on national reconciliation to build trust, confidence and positive perception towards the coalition by presenting it as a unifying rather than a dividing force. It will convince the electorate that the coalition is on the path of national reconciliation rather preparing for revenge.

The committee shall educate and sensitise the electorate about the need for national reconciliation in safeguarding our peaceful co-existence as a people. This will give more legitimacy to and support for the coalition during the transitional phase.

CONCLUSION

The Independent Ticket supported by Coalition 20`16 aims to create a transitional Coalition Government that would promote tolerance of ethno-linguistic, religious, gender and other diversities in promotion of national unity

We have agreed to put all differences aside to put a transitional government in place that would initiate constitutional, electoral, institutional, administrative and managerial reforms that would make justice guide our action towards the common good and further unify our diverse people to create a democratic system which enables each party to have equal access to the media and seek the mandate of the people in a free, fair and genuine election after a three year transition.

The End