



THE NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

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DISAPPOINTMENT OVER THE NATIONAL ASSEMBLY VOTE DENYING DIASPORAN GAMBIANS THE RIGHT TO VOTE

The National Human Rights Commission (NHRC) expresses its concern over the recent voting in the National Assembly on the Election Bill 2021, held on Tuesday, 4th March 2025, which effectively denies Gambians in the diaspora the fundamental right to vote. The right of Gambian diasporans to participate in elections and public affairs have been a subject of national discussion since 2017. Both the Independent Electoral Commission (IEC) and the Government of The Gambia have on numerous occasions, assured the public that measures would be taken to facilitate diaspora voting ahead of the 2026 Presidential Elections. However, the recent vote at the National Assembly rejecting Clause 14 of the Elections Bill 2021 has reversed these commitments, effectively disenfranchising a significant segment of Gambian society who continues to make invaluable contributions to the country's socio-economic development manifested in remittance inflows approximately representing 31.5% of Gross Domestic Product (GDP) in 2024.

The NHRC has consistently advocated for the inclusion of diaspora voting rights in The Gambia's electoral process. In May 2021, during a meeting with the National Assembly Joint Committee on Regional Government, Lands, IEC, Ombudsman and Human Rights and Constitutional Matters regarding the then Elections Bill 2020, the NHRC strongly and unequivocally advocated for the granting of the right to vote to Gambians in the diaspora.

It is worth recalling that on 27th January 2021, The Gambia's Supreme Court ruled in favor of five Gambians who challenged the IEC and the Government of The Gambia over their exclusion from the electoral process. The Court reaffirmed their political rights, stating that the systematic and continued disenfranchisement of Gambians living abroad is illegal and violates their fundamental rights. The Court explicitly affirmed that, pursuant to Section 39 of the Constitution, every Gambian, including those residing outside the country, are entitled

to be registered and to vote in elections, including those for the Presidency, National Assembly, local government offices, traditional rulers, and referenda.

Despite potential constitutional and logistical challenges, as highlighted by the Honorable Minister of Justice during the National Assembly debate, many Gambians strongly believe that the IEC and the Government have had ample time to address these issues. Several countries in the sub-region, including Senegal, Cabo Verde, Côte d'Ivoire, and Niger, have successfully enfranchised their diasporan communities. The NHRC is of the strong conviction that The Gambia also can, with commitment and willingness, also enfranchise its citizens in the diaspora

The NHRC calls on the Government of The Gambia and the IEC to take immediate and concrete steps to fulfill their commitment to enfranchising Gambians in the diaspora. As a fundamental democratic right, every eligible citizen, irrespective of their geographical location, should have the right and the opportunity to vote and be voted for. This right is recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights to which The Gambia is a State Party.

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Emmanuel D. Joof
Chairperson