

AFRICAN UNION COMMISSION



**AFRICAN UNION ELECTION OBSERVATION MISSION TO THE 8–10 SEPTEMBER
2016 PARLIAMENTARY ELECTIONS IN THE REPUBLIC OF SEYCHELLES**

FINAL REPORT

OCTOBER 2016

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ACKNOWLEDGEMENT

The African Union Election Observation Mission (AUEOM) wishes to express its appreciation to all stakeholders who cooperated with the Mission in the course of its activities in Seychelles.

The AUEOM is particularly grateful to Her Excellency Fatuma Ndangiza, former Chairperson of the African Peer Review Panel of Eminent Persons, for providing a key leadership role for the Mission. The AUEOM also shows its appreciation to the Special Envoy on Women, Peace and Security, Madam Bineta Diop for providing extra support to the mission.

The AUEOM is further grateful to the staff from the African Union Commission (AUC), the Pan-African Parliament (PAP) and the Electoral Institute for Sustainable Democracy in Africa (EISA) for their technical support throughout the Mission.

Finally, the AUEOM would not have succeeded without its observers, whose hard work and diligent reports on the electoral process was crucial to the success of the Mission.

LIST OF ABBREVIATIONS

ACDEG	African Charter on Democracy, Elections and Governance
ARID	Association for Rights, Information and Democracy
AU	African Union
AUC	African Union Commission
AUEOM	African Union Election Observation Mission
CAA	Constitutional Appointments Authority
CDWS	Citizen Democracy Watch Seychelles
CEPS	Citizen Engagement Platform of Seychelles
CRPD	Convention on the Rights of Persons with Disabilities
CSOs	Civil Society Organisations
ECF	Electoral Commission Forum
ECS	Electoral Commission of Seychelles
EISA	Electoral Institute for Sustainable Democracy in Africa
EMBs	Election Management Bodies
EOM	Election Observation Mission
ETDS	Electronic Results Transmission and Dissemination System
EU	European Communion
FPTP	First-Past-The-Post
LDS	Lynion Demokratik Seselwa
LSD	Lafors Sosyal Demokratik
IOC	Indian Ocean Commission
MNAs	Members of the National Assembly
MP	Member of Parliament
PAP	Pan-African Parliament
PF	Parliamentary Forum
PL	Parti Lepep
PRC	Permanent Representatives' Committee
PDM	Popular Democratic Movement
PWDs	Persons with Disabilities
SADC	Southern Africa Development Community
SBC	Seychelles Broadcasting Corporation
SCR	Seychelles Rupees
SNP	Seychelles National Party (SNP),
SPM	Seychelles Patriotic Movement
STOs	Short Term Observers
UDHR	Universal Declaration of Human Rights
UN	United Nations

EXECUTIVE SUMMARY

The African Union (AU) deployed a Short Term Election Observation Mission (EOM) to the 8th – 10th September 2016 Parliamentary Elections in Seychelles. The Mission sought to (a) provide a critical and impartial assessment of the 2016 Parliamentary elections in Seychelles, including the degree to which the conduct of the elections met regional, continental and international standards for democratic elections; (b) offer recommendations for improvement of future electoral processes in the country based on findings; and (c) demonstrate AU's solidarity and support for Seychelles elections and democratisation process to ensure that the conduct of genuine elections contribute to the consolidation of democratic governance, peace and stability in the country.

Based on its observations and consultations held before, during and after the elections, the AUEOM made the following key findings:

- The 8-10 September 2016 legislative elections in Seychelles was the sixth since the country returned to multiparty democracy in 1993. The elections took place in the wake of a tightly contested two-round presidential election less than a year ago, in December 2015.
- The electoral legal framework in the Republic of Seychelles guarantees basic rights and freedoms relating to the conduct of democratic elections and to a large extent, it is in line with international and regional instruments such as the Universal Declaration of Human Rights (UDHR), the African Union Declaration on the Principles Governing Democratic Elections in Africa, the African Charter on Democracy, Elections and Governance (ACDEG), and the Southern African Development Community (SADC) Principles and Guidelines Governing Democratic Elections.
- After the 2011 presidential election, a number of legal reforms, which the mission views as very positive steps, were introduced. These include the establishment of a five-member Electoral Commission; the introduction of campaign finance regulations; changes to voter registration procedures; and the repeal of the Public Order Act and its replacement with the Public Assembly Act, among others.
- New election procedures were introduced ahead of the 2016 elections, based on lessons learnt from previous elections in order to improve the integrity of the process. These are the splitting of voters and voter registers in alphabetical order at each polling station, the verification of the number of ballot papers allocated to each polling station, the verification of the number of voters who have been ticked off the voter register after voting, and the access to copies of the results forms by party and candidate agents at the end of the counting process.
- Overall, the Electoral Commission of Seychelles (ECS) conducted the electoral process with professionalism and competence. Voting, counting and results

tabulation took place in a calm and peaceful atmosphere, and generally in accordance with the law.

- The AUEOM notes that the 2016 election in Seychelles was conducted in an atmosphere of peace, order, and tranquillity, and in accordance with the laws of the Republic of Seychelles and generally in line with the AU instruments governing credible elections in Africa. The Mission is of the opinion that voters were generally free to express their choice through universal, equal and secret suffrage.

The AUEOM also made recommendations for the improvement of future elections in the Republic of Seychelles:

To the National Assembly:

- Revise the process of appointment of commissioners to the Electoral Commission for further strengthening of its independence;
- Introduce mechanisms to improve women's representation in the ECS and in the National Assembly, as well as strengthening democratic governance in order to enhance women's participation in politics;
- Introduce biometric voter registration and issue voters' identity cards as proof of registration and as main means of voter identification on election day;
- Reform campaign finance regulations, especially by placing limits on campaign expenditures and introducing public funding for campaigns including special support for female candidates during campaigns;
- Establish non-judicial mechanisms for arbitration of electoral disputes;
- Create additional polling stations in the electoral areas with the highest number of registered voters in order to shorten the voting and counting processes;
- Introduce measures to allow voters with disability, especially blind voters, to vote autonomously and thus protect the secrecy of their vote;
- Make it mandatory to post election results publicly outside the respective polling stations for increased transparency of the process; and
- Provide access to voting for Seychellois abroad so that citizens in the diaspora can exercise their right to choose their leaders.

To the Electoral Commission of Seychelles:

- Improve the transparency and credibility of the electoral process through improved communication with stakeholders and the public at large regarding the interpretation of the laws and application of procedures;
- Take appropriate measures to improve the integrity and credibility of the voters register; and
- Improve public education regarding voters' registration and voting procedures.

To Political Parties:

- Increase opportunities for the participation of women in political leadership and candidates for elections;
- Refrain from using inflammatory language and other forms of hate speech during campaigns;
- Enhance inter-party dialogue to facilitate democratic principles and peace in the country; and
- Engage in dialogue to deepen multi-party democracy and advance socio-economic development in the country.

I. INTRODUCTION

1. At the invitation of the Government of Seychelles and the Electoral Commission of Seychelles, the Chairperson of the African Union Commission (AUC), Her Excellency Dr. Nkosazana Dlamini Zuma, deployed an all-Women African Union Election Observation Mission (AUEOM) to the 8-10 September 2016 Parliamentary Elections in the Republic of Seychelles. The deployment of the historically first-ever women-only observation mission was in line with the African Union's commemoration of the African Year of Human Rights with a Special Focus on the Rights of Women¹.
2. The Mission was headed by Her Excellency Fatuma Ndangiza, former Chairperson of the African Peer Review Panel of Eminent Persons. The Mission comprised 29 Short Term Observers (STOs) drawn from 22 African countries, representing institutions such as the Permanent Representatives' Committee (PRC), the Pan-African Parliament (PAP), the Economic, Social and Cultural Council (ECOSOCC), Election Management Bodies (EMBs), Civil Society Organisations (CSOs) and independent elections experts from several African countries².
3. The AUEOM was supported by a technical team drawn from the African Union Commission, the Pan-African Parliament (PAP) and the Electoral Institute for Sustainable Democracy in Africa (EISA).
4. The AUEOM derived its mandate from the relevant provisions of the African Charter on Democracy, Elections and Governance (2007) which entered into force on 15th February 2012; the AU/OAU Declaration on the Principles Governing Democratic Elections in Africa (AHG/Decl.1 (XXXVIII)); and the African Union Guidelines for Electoral Observation and Monitoring Missions both adopted by the Assembly of the African Union Heads of State in July 2002. The AUEOM's mandate is further strengthened by other relevant national, regional and international instruments for election observation such as the Declaration of Principles for International Election Observation and its accompanying Code of Conduct which the AU endorsed in 2005; the EAC Principles for Election Observation and Evaluation; and the legal framework governing the conduct of elections in Seychelles. The Mission is also informed by the 2003 Protocol to the African Charter on Human and Peoples' Rights – the Rights of Women in Africa (Maputo Protocol).

¹ The 2016 African Year of Human Rights with particular focus on the rights of women is aimed at marking, commemorating and celebrating the significant milestones in Africa's continental human rights progression since the adoption of several instruments. Key among them are the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) in 2003, the Solemn Declaration on Gender Equality (SDGEA) in 2004, the African Union Gender Policy in 2009 and Assembly Declaration of 2010 - 2020 as an African Women's Decade, and the launching of the Fund for African Women. The year is thus an opportunity to give Africans the chance to tell their story, not only to raise awareness about the great work that they have been doing but also to inspire future generations to emulate innovative and exciting approaches to making a difference through human rights based approaches. The declaration of 2016 as the Africa Year of Human Rights will provide further opportunity to consolidate the gains already made over the years, ensure better coordination of human rights bodies on the continent and move towards the establishment of a true human rights culture on the continent.

² Algeria, Botswana, Burundi, Cameroon, Cape Verde, Cote d'Ivoire, Democratic Republic of Congo, Ethiopia, Gabon, Kenya, Malawi, Mauritania, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Uganda and Zimbabwe.

5. In its assessment of the 2016 electoral process in Seychelles, the Mission paid particular attention to the issues around women's access to and participation in the process.
6. This final report presents the AUEOM's overall assessment of the 8-10 September 2016 General Elections in Seychelles and comprises details of the Mission's observations, findings and recommendations. The AUEOM's assessment of the elections is based on the principles and standards for the conduct of democratic, credible and transparent elections as enshrined in the aforementioned AU instruments.

II. OBJECTIVE AND METHODOLOGY

a. Objective

7. The objectives of the AUEOM were to:

- provide an accurate and impartial report or assessment of the quality of the 8-10 September Parliamentary Elections in Seychelles, including the degree to which the conduct of the elections met regional, continental and international standards for democratic elections;
- offer recommendations for improvement of future electoral processes in the country based on findings; and
- Demonstrate AU's solidarity and support for Seychelles elections and democratisation process to ensure that the conduct of genuine elections contributes to the consolidation of democratic governance, peace and stability in the country.

b. Methodology

8. To achieve the above objectives, the AUEOM undertook the following activities:

- Before deployment, observers underwent a two-day training and orientation programme from 5th – 6th September 2016 on the historical and political context of the elections, the Constitutional and legal framework for elections, International and AU Principles for Elections, AU observation methodology, AU code of conduct for observers as well as observer reporting. Observers were also briefed by various stakeholders among them the Electoral Commission, CSOs and political parties. The objective was to ensure that the observers had adequate background information on the electoral process to enable them make better assessment of the election;
- The AUEOM leadership further held extensive consultations with several stakeholders in Seychelles, including the Minister of Foreign Affairs and Transport; Minister of Social Affairs, Community Development and Sports; the Chief Justice of the Supreme Court; the Commissioner of Police; the opposition leader of the Popular Democratic Movement (PDM) in the National Assembly; the official leader of Linyon Demokratik Seselwa (LDS), the opposition coalition; Ambassador for Women and Children in the Ministry of Foreign Affairs; Seychelles National Human Rights Counsel; Bishops of the Anglican and Catholic Churches; members of the media and civil society organizations. The Head of Mission also met with leaders of other international observation missions, and paid a courtesy call to His Excellency James A. Michel, President of the Republic of Seychelles;
- On the 8th of September 2016, the AUEOM observed early voting in five polling stations³ on Mahé Island. On the 10th of September, 26 observers were deployed to all 22 electoral areas on Mahé Island. On Election Day, the teams visited all 22

³. The polling stations are English River (for voters who were scheduled to be on duty away from their electoral areas on 10th September), Ile Perseverance (for residents of Ile Perseverance), National House (for voters from Praslin and La Digue Islands who were scheduled to be in Mahe on 10th), Montagne Posee Prison (for remand prisoners) and North East Point Home for the Elderly (for residents of the Home for the Elderly and patients of North East Point Hospital).

polling stations in their areas of deployment and they observed the opening, voting, closing and counting procedures;

- After the elections, a debriefing session was organised for all observers on the 11th of September. The debriefing presented an opportunity for the observers to adopt the AUEOM preliminary statement; and
- The AUEOM issued its Preliminary Statement on the findings and recommendations of the elections alongside other observer groups, at a press conference held at the Avani Seychelles Barbarons Resort and Spa on 12 September 2016.

III. PRE-ELECTION FINDINGS

a. Political Context of the 2016 Elections

9. The 8-10 September 2016 legislative elections in Seychelles was the sixth since the country returned to multiparty democracy in 1993. The elections took place in the wake of a tightly contested two-round presidential election in December 2015, in which the results were still being fought in court. The political environment was observed by the AUEOM as being highly polarized.
10. In the run up to the elections, the ECS struck off the names of two political parties, Linyon Sanzman and Lafors Sosyal Demokratik (LSD), from the official register of political parties in accordance with a Supreme Court ruling. This was after a successful petition lodged before the Court by the opposition coalition, the Linyon Demokratik Seselwa (LDS). In the case of the LSD, the petitioner requested for a 'judicial review' of the ECS's decision to register it as a political party, arguing that the name Lafors Sosyal Demokratik (LSD) was identical or resembled the name Linyon Demokratik Seselwa (LDS). In the case of Linyon Sanzman, the petitioner contested the registration of the party on grounds that the coalition, formed by members of four opposition parties (for the second round of the 2015 presidential election) now known as LDS, had planned to register the name Linyon Sanzman as the banner under which they would contest the National Assembly elections.
11. For the 2016 legislative elections the main opposition parties consolidated the alliance they formed for the second round of the 2015 presidential election, making the contest a race between the ruling party and a united opposition front namely the LDS.⁴ These parties fielded candidates in all the 25 constituencies. The third party, the Seychelles Patriotic Movement (SPM) nominated 23 candidates for the 25 constituency seats, while three independent candidates⁵ also ran.
12. The Mission is of the opinion that the widening of political competition and the legal reforms introduced after 2011 have contributed to a more leveled playing field in the electoral process.

b. Constitutional and Legal Framework

13. Seychelles Constitutional and legal framework provides for and guarantees the holding of regular elections in conformity with regional and international frameworks. The National Assembly Elections are regulated by the Constitution of the Republic of Seychelles, June 18, 1993 (as amended in 1995, 1996 and 2000); Elections Act, 17 of 1995 as amended; Political Parties (Registration and Regulation) Act, 1991, as amended

⁴ The alliance has four parties namely: the Seychelles National Party (SNP), Lalyans Seselwa (Seychelloise Alliance), the Seychelles Party for Social Justice and Democracy (SPSD), and the Seychelles United Party (SUP).

⁵ The independent candidates were Maxime, Gerald VOLCERE (Au Cap Ralph), Danny, Roch SOPHA (Anse Aux Pins) and Georgie, William PRUDENCE (Mont Buxton).

in 1995, 1996, 2014 and 2015; the Public Assembly Act 2015; and the Code of Conduct for Political Parties, Candidates and Other Stakeholders.

14. The Constitution guarantees fundamental civil liberties and human rights. Under Chapter III of the Constitution, Citizens of Seychelles are entitled to freedom of expression, freedom of assembly and association, freedom of movement, the right to equal protection of the law and the right not be discriminated against on the basis of race, origins, gender, and political opinions. The right to vote in the Presidential and National Assembly elections and the referendum by universal, direct and secret suffrage is protected by the Constitution provided that the person has attained the age of 18 years and has registered to vote. The Constitution also recognises the right of the aged and the right of the disabled to special protection through provision of welfare and maintenance to them.
15. The rights of women are enshrined in the Constitution, including the right to political participation, and there are no legal barriers for their participation in the electoral process. The Mission noted however that there are no legal provisions in place to ensure gender equality and balance in elective office positions, such as the National Assembly, in compliance with the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, which Seychelles ratified in 2006, and the SADC Protocol on Gender and Development, which Seychelles signed in 2008.
8. The Elections Act of 1995 regulates the registration of voters, the organization of presidential and National Assembly elections, and referendums. The Political Parties Act establishes the Electoral Commissioner as the registrar of political parties, with responsibility for maintaining a register of political parties, allocating public funds to parties and reporting to the National Assembly accordingly.
16. The Public Assembly Act deals with control of public gatherings, which also include public meetings and rallies of political parties. The Act is based on recommendations from the Electoral Commission and it came into being after the Constitutional Court declared most sections of the Public Order Act 2013 unconstitutional in July 2015 following a court action by political parties - Seychelles National Party (SNP), the Seychelles United Party (SUP), civil society organisation Citizens Democracy Watch Seychelles (CDWS) and citizen Viral Dhanjee.
17. After the 2011 presidential election, a number of legal reforms, which the AUEOM views as very positive steps, were introduced. These included the establishment of a five-member Electoral Commission; the introduction of campaign finance regulations; changes to voter registration procedures; and the repeal of the Public Order Act and its replacement with the Public Assembly Act which provides for voting by detained persons, either in holding cells or prisoners awaiting trial, but prohibits voting by convicted prisoners among others.
18. In addition, some new Election Day procedures were introduced ahead of the 2016 elections, based on lessons learned from previous elections, in order to improve the integrity of the process. These included the splitting of voters and voter registers in alphabetical order at each polling station, the verification of the number of ballot papers

allocated to each polling station, the verification of the number of voters who have been ticked off the voter register after voting, and the access to copies of the results forms by party and candidate agents at the end of the counting process.

19. Although there is no set date for the holding of legislative elections, the Constitution states that such elections shall be held during the period starting at the beginning of the fifty-seventh month and ending at the end of the fifty-ninth month of a session of the National Assembly, which in the Mission's opinion constitutes reasonable advance notice for all stakeholders to prepare adequately for the elections.
20. The Mission noted that, although the legal framework provides for the registration, as a voter, by citizens of Seychelles living overseas (provided that they have a national identity card and have resided in an electoral area for a minimum period of three months, immediately prior to registration), voting abroad is not provided for in the laws.
21. The AUEOM is of the view that the constitutionally-guaranteed rights and freedoms, as well as the provisions of the Electoral Act and the legal and procedural reforms introduced since 2011 has established solid conditions for democratic elections in Seychelles.

c. Electoral System

22. Seychelles is a multiparty democracy and a presidential republic in which the President is both the Chief of State and Head of Government. Seychelles has a unicameral National Assembly composed of a maximum of 35 seats with members serving 5-year terms. By-elections are held within 30 days to fill seats which fall vacant between general elections, unless these occur within three months of a scheduled polling period. Seychelles has a mixed electoral system for the National Assembly elections which combines the direct universal adult franchise, First-Past-The-Post (FPTP) constituency elections with proportional representation. With a maximum of 35 seats, 25 members are elected by Simple Majority from the country's 25 single-member constituencies and up to 10 members are nominated by the parties that have obtained at least 10% of the total votes cast nation-wide. These parties are entitled to nominate one member for every 10 % of the votes they win. Individuals can contest elections either as a party candidate or as an independent candidate. According to the Elections Act, the ECS announces, by notice in the Gazette, the date or dates on which a National Assembly Election should be held⁶.

d. Election Dispute Resolution

23. The result of a legislative election can be questioned or subject to review on an election petition presented to the Constitutional Court, within 14 days of the publication of the results. Decisions may be appealed in the Seychelles Court of Appeal. A petitioner in an election petition may claim a declaration that the election is void, or a recount of the ballot papers. The Constitutional Court may order a recount of the ballot papers where it is satisfied that there was an irregularity in the counting of ballot papers that affected the

⁶ Elections Act Section 14:1 (1)

results of the election. All stakeholders contacted by the Mission expressed trust in the judicial system and in their ability to resort to the courts to address complaints regarding the electoral process.

24. The Mission commends the impartial and independent manner in which the Judiciary has arbitrated and resolved election-related disputes so far. However, the Mission noted the continued absence of non-judicial alternative dispute resolution mechanisms, which could make the adjudication of election-related conflicts speedier, and alleviate the burden of election-related petitions on the judicial system. The Mission noted with satisfaction that Seychelles has appointed its first female Chief Justice.

e. Election Management

25. Following the return of Seychelles to multiparty democracy with the 1993 constitution, an independent electoral commissioner was appointed to manage electoral processes. However, renewed calls for further electoral reforms after the 2011 elections led to the adoption of a new election management structure with the establishment of a 5-member⁷ Electoral Commission of Seychelles (ECS), led by a chairperson.

26. Article 115A (1) of the Constitution of Seychelles provides for the appointment of Commissioners of the Electoral Commission. The ECS members are professionals with no political party affiliation, who apply for the positions based on an advertisement by the Constitutional Appointments Authority (CAA), constituted under Article 139 of the Constitution. The CAA then recommends a shortlist of seven names to the President, who makes the final appointment. The chairperson is the only full-time member of ECS, in charge of a full-time secretariat of four members. Currently only one of the five members is a woman. The tenure of office for each member is seven years, and the members may reapply for their positions.

27. Article 3 (1) of the Elections Act provides for the appointment of a Chief Registration Officer, responsible for registration of voters and a Chief Elections Officer responsible for the supervision of elections or a referendum at the national level. At the electoral area level, the Act provides for the appointment of a Registration Officer and an Assistant as well as an Electoral Officer and an Assistant for each electoral area. All these positions are temporary, and recruited among professionals with managerial experience.

28. The ECS is independent of the Executive, and has operational and financial autonomy. However, it has the duty of reporting annually to the National Assembly on any elections or referendum conducted, and on the use of public funding for political parties. The functioning of the Commission is funded by the State's budget, through the Ministry of Finance. However, the costs of elections are covered separately by a consolidated revenue fund. The ECS must account to the Ministry of Finance for all expenditures using public funds.

⁷ The current ECS is comprised of Mr. Hendrick Gappy, Chairperson; Mr. Bernard Elizabeth; Mr. Beatty Hoareau; Mr. Gerard Lafortune and Dr. Marie-Thérèse Purvis.

29. The functions of the ECS are provided for under Article 116 of the Constitution. These include conduct and supervision of the registration of voters and of elections and referenda; continuous review of the number and boundaries of the electoral areas; continuous review of the practices and working, including such matters as finance, broadcast and advertising of political campaigns in respect of elections and referenda; and review of the existing legislation governing electoral matters and make recommendations to the Government.
30. The AUEOM observed that the ECS is generally perceived by most stakeholders as technically competent. It further noted that the ECS received all the required resources to organise the elections efficiently, and implemented the electoral calendar in a timely manner. The procurement of election materials, the setting up of polling stations, and the recruitment and training of polling officials were done within the required timeframe and standards.
31. However, several stakeholders questioned the independence and impartiality of the ECS because it is appointed by the Executive. Stakeholders indicated that an appointment process more independent from the Executive would strengthen the Commission's independent status.
32. The AUEOM noted with concern the under-representation of women in the five-member electoral Commission, which is currently constituted by one woman.

f. Voter Registration

33. According to Article 114 of the Constitution, every Seychellois citizen, who has attained the age of 18 years, is in possession of National Identity Card, and has resided for at least three months in a given electoral area in Seychelles prior to the date of registration, is entitled to register as a voter. Those declared of unsound mind, or serving prison sentences of six or more months are excluded from registration. Every voter must vote at the electoral area where they are registered, except in the cases foreseen by law. In these cases, the law also makes provision for special voting.
34. After the 2011 electoral reform process, voter registration became a permanent process with regional centres in every electoral district, where new voters and voters who had changed their area of residence could register or request amendments to the register. Before the reforms, every citizen turning 18 years of age would automatically be added to the register based on the civil registry. Under the new system, and in accordance with the Elections Act Chapter 68A and Elections (Amendment) Act, 2014, they have to approach the registration centres in person to register. This aims at avoiding the automatic addition of citizens who, by the time they become 18 years old, no longer reside in Seychelles. This gives eligibility for registration and voting only to citizens who reside in the country.
35. The ECS must publish the most updated version of the voter register on 31 March every year, but in the years when an election is held an updated register must be published immediately after the election is declared. Registration and amendments to the voter register are suspended in the period between the declaration of the election and

conclusion of the election. Thus, for the legislative elections in 2016, the voter register was closed on 15 July. For the legislative assembly elections, there were 71,932 registered voters, of which 50.7% were women. The ECS does not disaggregate registered voters by age.

Table 1 – Registered voters by electoral area and by gender

Electoral Area	Male	Female	Total
Anse Aux Pins	1653	1702	3355
Anse Boileau	1654	1704	3358
Anse Etoile	2014	2112	4126
Anse Royale	1659	1699	3358
Aux Cap	1682	1773	3455
Baie Lazare	1335	1332	2667
Baie Ste Anne	1722	1660	3382
Beau Vallon	1726	1655	3381
Bel Air	1216	1223	2439
Bel Ombre	1548	1642	3190
Cascade	1430	1444	2874
English River	1439	1601	3040
Glacis	1644	1624	3268
Grand Anse (M)	1168	1259	2427
Grand Anse (P)	1358	1345	2703
Inner Islands	983	1020	2003
Les Mamelles	1214	1217	2431
Mont Buxton	1500	1509	3009
Mont Fleuri	1372	1383	2755
Plaisance	1629	1731	3360
Pointe Larue	1183	1235	2418
Port Glaud	987	997	1984
Roch Caiman	880	1092	1972
St. Louis	1332	1338	2670
Takamaka	1133	1174	2307
TOTAL	35461	36471	71932

Source: Electoral Commission of Seychelles

36. The AU Mission noted that Seychelles has a population of about 96,858 inhabitants, according to UN estimates.⁸ However, the total number of registered voters stood at

⁸ United Nations Department of Economic and Social Affairs: Population Division

71,932, which seems too high for the age structure of the Seychelles population. This points to a bloated voters register.

37. Stakeholders consulted by the Mission raised concerns that the voter register contained thousands of non-residents, as well as many deceased voters. They further argued that the only solution to this problem was to overhaul the current register and conduct a new voter registration process.
38. The Mission further noted that voters were not provided with voters' identity cards, which made it difficult to determine if a voter whose name did not appear in the Voters Register on Election Day was indeed registered. The AUEOM however, noted the fairly high number of registered female voters and the availability of sex disaggregated data.
39. The Mission noted the commendable legal provisions and mechanisms put in place to ensure that all registered voters residing in Seychelles exercised the right to express their choice, including through early voting procedures for different special groups. However, registration and voting rights have not yet been extended to citizens living abroad so that they can exercise their right to vote in the countries where they reside, including those who are abroad on official duty.

g. Party and Campaign finance

40. The legal framework in Seychelles allows for government funding of political parties. Under Section 27 of the Political Parties (Registration and Regulation) Act of 1996 (as amended) registered political parties are entitled to monies from a fund called the Political Parties Financial Support Fund. The fund consists of monies appropriated by an Appropriation Act and paid into the fund and is administered by the electoral commission. This fund applies to registered political parties which nominated candidates for the immediately preceding general elections to the National Assembly. The parties are entitled to receive, out of the total funds, such sums equivalent to the percentage of valid votes cast in favour of the candidates nominated by that party.
41. Article 29 mandates the Commission, on or before 30th January each year, to determine the total amount of financial assistance to be paid out of the fund to the registered political parties; which on the 1st day of January of that year, are registered in the register and are eligible for payment of financial assistance. The Commission is further expected to, on or before 31st March of each year, submit to the National Assembly a copy of the statement of accounts of the funds for the immediately preceding year.
42. Section 93 (7) of the Elections Act, 1995, as amended, establishes limits of R250,000 on contributions or donations a National Assembly candidate may receive from a single source. The source of any contribution or donation above Seychelles Rupees (SCR) 5,000 must be identified and disclosed to the ECS. Campaign donations and contributions must only be used for specific electioneering expenditures. Given these campaign finance regulations, candidates must abide by strict campaign financial reporting requirements.

43. Further, parties and candidates must have dedicated “electioneering fund accounts” in order to keep proper accounts of funds received and expenses incurred for electoral campaign purposes. The law prohibits direct or indirect contribution to election campaigns by foreign governments, political parties, faith-based organisations, or individuals, and institutions controlled by the Seychellois government, companies in which the Seychellois government holds any shares, Seychellois private companies performing a public function, or trade unions.
44. The law does not however provide a limit on the total amount a campaign may spend, and does not also provide for public campaign funding. It however stipulates that within 60 days after the results of elections are declared, a candidate, party or party agent has to submit to the ECS a statement of funds received and expenditure incurred.
45. The Mission acknowledged the introduction of campaign finance regulations, which put limits on individual contributions, and required disclosure of the identity of donors, who make contributions above a certain amount. These are positive developments towards greater electoral transparency and reducing the negative influence of private politics and public governance.
46. However, the Mission is concerned that the campaign finance regulations do not establish limits on the amount each campaign is allowed to spend, and that there is no public campaign funding, which may contribute to an unequal playing field among the different election contestants.
47. The Mission also notes that there are no regulations that oblige the allocation of campaign funds to support women candidates and aspiring political leaders in line with the growing global trends. For example, a few African countries, including Burkina Faso, Kenya, Mali, Cape Verde and Niger have laws linking provision of public funding to the gender equality of political parties’ candidates.

h. Electoral Campaigns

48. As mandated in the Electoral Act, the ECS set the campaign period from 6pm on Nomination Day, 17 August. The campaign formally ended at midnight on the 6th of September, although “soft campaigning” activities, such as door-to-door canvassing, were still accepted. However, on the Election Days, no-one was allowed to wear or display clothing, banners, insignias, flags, or any other indication of support to a political party or candidate within 100 metres of a polling station. The law also requires that parties and candidates remove posters and billboards within fourteen days of the close of the polls.
49. In addition to the Election Act, the electoral campaign is also ruled by the Public Assembly Act of 2015, as it regulates all public meetings. Consulted stakeholders were unanimous in their opinion that the repeal of the Public Order Act, which required parties to request police permission for holding public gatherings and rallies, and its replacement with the Public Assembly Act of 2015 which only requires the police to be informed, allowed for a much freer and vibrant electoral campaign.

50. The Mission noted that the campaign period was also regulated by a Code of Conduct for electoral stakeholders including political parties and candidates, election officials, polling and counting agents, election observers, journalists and other media representatives covering elections. This ensured that the election was conducted in accordance with the law and that it took place without threat and in a peaceful manner.
51. The AUEOM noted that the electoral campaign took place in a robust and festive manner, and was generally peaceful. The AU observers were able to witness the last two rallies of Parti Lepep (PL) and LDS on the 4th of September. These events were well-attended by all groups, including the youth, women and the elderly. The AUEOM noted concerns from consulted stakeholders with regards to incidents of use of hate speech between supporters of different parties and candidates, and use of inflammatory language between the two main contesting parties⁹.
52. The AUEOM observed that all candidates were free to disseminate their campaign manifestos and messages; and noted the active participation of women in campaign activities. The AUEOM also received reports of attempted vote buying by both main political parties, but was not able to verify these allegations independently. No incidents of violence were witnessed by or reported to the AU observers. The AUEOM noted however, a few cases of defaced campaign materials of different parties and candidates, in clear violation of the law and the code of ethical conduct. The AUEOM noted with satisfaction that all candidates were able to make full use of their political party broadcasts on the Seychelles Broadcasting Corporation (SBC) without hindrance.

i. Civic and Voter Education

53. The Electoral Commission is mandated to educate and inform voters about the electoral process. In accordance with this mandate, the ECS conducted voter education and information activities. The AUEOM noted that, in preparation for the 2016 elections, civic education was also undertaken through the media by political parties and accredited CSOs, among them the Civic Engagement Platform of Seychelles (CEPS) and the Citizen Democracy Watch Seychelles (CDWS). However, stakeholders consulted reported concerns that civic education regarding democratic and human rights principles and values, and the role of elected Members of the National Assembly was insufficient.

j. Candidate Nominations and Campaigns

54. Under Section 14 (1) of the Elections Act, the ECS is required to, at least 21 days before the election date, announce the date, place and time for the nomination of candidates for the National Assembly Election. For the 2016 legislative assembly elections, nomination date for candidates was set for August 17th and took place at the Electoral Commission's headquarters at the National Library, Victoria between 9am and 1pm. On the nomination day, candidates were expected to submit their respective nomination papers supported by a nomination form; a list of 50 supporters, who must be registered voters for

⁹ The most striking examples of hate speech were the likening of the opposition to the HIV and Zika viruses and to the ISIS terrorist group by the ruling party, and the main opposition campaign song, "PIL lo LI" which refers to stumping the opponent.

endorsement; two passport-size colour photographs and a digital copy; the candidate's party symbol or in case of an independent candidate the colour adopted by that candidate, and a digital copy; a certificate from an officer of the respective political party authorising a candidate to act on behalf of that party; a certificate from the chairman of the Electoral Commission to the effect that the candidates have satisfied the requirements to provide security for R1,500 (US\$115). A banker's guarantee was accepted in lieu of a cash deposit for all nominations.

55. Under the Electoral Law, a candidate could object to the acceptance of a nomination paper of any other candidate on the grounds that the other candidate was not qualified to stand for the election or that the nomination paper did not comply with the requirements laid down by law. The contesting candidates were therefore initially allowed by the Electoral Commissioner to inspect each other's nomination papers on nomination day. Both political party-supported and independent candidates may contest legislative elections in the Seychelles. Proportional representation candidates are nominated on the basis of political parties on lists. For the 2016 legislative assembly elections, PL nominated 25 candidates, LDS nominated 25 candidates, and the SPM nominated 23 candidates for the 25 constituency seats. Three independent candidates also successfully presented their nomination documents.

k. Gender and minority rights

56. Active and equal participation of women, youth and civil society organisations in the electoral process is critical for the deepening of democracy and human rights. Recognising this fact, the Constitution of Seychelles under Chapter 3 guarantees equal rights for women and men and equal opportunities in political, economic and social activities. The AUEOM noted that women make up the majority of voters with 50.7% of registered voters and that they were well represented at campaign rallies, at the polling stations as polling officials, polling agents, and citizen observers. However, the Mission noted that women were under-represented in the ECS, in the top leadership of parties, and as candidates. For instance, only one of the political parties had a female president and only 20 of the 76 candidates who contested for the parliamentary elections representing 26.3%, were women. Up to date, with 45% representation, Seychelles is ranked fourth (4th) in the world, second (2nd) in Africa, and first (1st) in the SADC region in terms of women representation in parliament. However, the AUEOM noted that since the re-introduction of multi-party politics in Seychelles in 1993, women representation in the National Assembly has consistently been fewer than 30% with the notable exception of the 2011 National Assembly. The AUEOM further noted that the high proportion of women in the outgoing National Assembly was not the result of sustained legal and structural mechanisms to ensure consistently high numbers of elected women. It was rather the unintended result of an election in which PL, the only party which regularly fields high numbers of women candidates, contested the election largely unopposed.

57. The AUEOM observed that, in the current elections, PL at 44% was again the only party with a high number of female candidates. The SPM had only 21.7% and the LDS only 16%. As a result, the newly elected National Assembly will revert to the historically lower levels of women representation. The AUEOM regrets to note that of the 25 constituency seats, only 4 (16%) were won by women. The AUEOM noted with satisfaction that voting rights were extended to remand prisoners (people detained but not yet convicted), and the elderly at the main hospice on Mahé island, through special polling stations. The

AUEOM further observed with satisfaction that on polling day, pregnant women, nursing mothers, people with disabilities and the elderly were entitled to priority voting and assistance. Only a polling official could mark the ballot of an assisted voter, with the assistant acting only as a witness. The AUEOM however noted that, although Seychelles ratified the UN Convention on Rights of Persons with Disabilities (CRPD) in 2009, there is lack of legislative provisions on voting for Persons with Disabilities (PWDs). For instance Braille ballot papers as it is best practiced in other countries were not provided, implying that visually impaired persons can only vote through the assistance of other persons.

I. Role of the Media

58. Media freedom is fundamental in promoting political and civil rights and liberties. In Seychelles, the Constitution under article 22 protects freedom of expression, but it also limits this guarantee with provisions protecting the reputation, rights, and privacy of citizens and the “interest of defence, public safety, public order, public morality, or public health.” The Electoral Act 1995 guarantees all parties and candidates the right to have their views broadcasted or publicised. Under section 97, the Act provides for the allocation of free broadcasting time to each registered political party and candidate for election campaigns with respect to the Seychelles Broadcasting Corporation (SBC) (Television and Radio). The ECS must ensure compliance with this provision. The Commission however does not regulate candidate campaign propaganda in the private or commercial media.
59. The stakeholders consulted reported that in compliance with this legal provision, the SBC (television and radio) allocated time slots for each political party and candidate participating in the election and in line with good practice on the continent. However, the AUEOM noted the concerns of the consulted interlocutors, especially opposition parties who noted that the public media had shown some bias towards the ruling party in their coverage of the election campaigns. The AUEOM was also informed that the television and radio also conducted voter education forums and awareness spots leading up to the election period. The print media focused mainly on voter education. The allocation of this space was in collaboration with the Media Commission and the Electoral Commission. Besides the mainstream print and electronic media, campaigning was carried out through social media platforms such as Twitter, Facebook and WhatsApp. The Mission however observed that social media was also used in the election as a medium for hate speech. The AUEOM also noted that the media code of conduct is provided for under the code of conduct for stakeholders.

m. Security

60. The Seychelles police are responsible for security during campaigns, elections and protection of elections materials. The police are also responsible for the protection of the election material during transportation to various polling stations. Stakeholders consulted generally expressed confidence in the neutrality and professionalism of the security forces throughout the electoral process. There were few allegations by the opposition of improper conduct by individual members of the security forces or excessive presence of security forces at opposition campaign events. The AUEOM however noted the professional manner in which the

Seychelles Police Force (SPF) provided security to the last two rallies of all parties and candidates; the distribution of election materials prior to the Election Day; at the polling stations on Election Day; and to the transportation of marked ballots from the polling stations to the ECS headquarters. The mission also positively noted the presence of a fairly high number of women police officers deployed to support the Election-Day process. The AUEOM further noted that there was a generally calm and peaceful pre-election, election and post-election environment with no major security incidents reported. The Mission further noted that sufficient security personnel were deployed to safeguard peace and security during elections.

n. Preparedness of the ECS

61. The AUEOM noted that the EC put in place the requisite logistics necessary for the conduct of the elections. In keeping with continental, regional and international benchmarks, and national laws, the ECS set up special polling stations for early voting on 8th September and polling station for the main Election Day on 10th September 2016 and successfully recruited and trained polling officials for the Election Day. The ECS also accredited citizens and international observers, party and candidate monitors and the media. The AUEOM further took note of the following; that the ECS received all the required resources, both financial, material and human, to organise the process; that the processing of candidate nominations was done in an efficient and timely manner as well as the draw for the position of candidates on the ballot paper, and for the sequence of candidate political broadcasts; that polling stations, including the special ones, were set up on time and were mostly located in community centres and schools and that procurement process of the printing of ballot papers and their delivery from South Africa was timely and was witnessed by electoral stakeholders.

o. Role of the Civil Society

62. The AUEOM noted the existence of civil society groups that played various roles in the electoral process, including electoral reform advocacy, voter education and domestic election observation. For example, two citizen observer groups, the CDWS and the Association for Rights, Information and Democracy (ARID) were accredited to observe the elections. CDWS deployed 26 observers, while ARID deployed 35 observers to observe elections in the main and outer islands over the three days of voting. While CDWS was observing its fourth election process, ARID was observing for the second time. In the run up to the elections, civil society groups comprising the CDWS, Citizens Engagement Platform Seychelles (CEPS) and the ARID were engaged in conducting voters' education at post-secondary institutions under a European Union (EU) funded project. The CSOs also conducted trainings for stakeholders involved in the electoral process. The trainings included sessions on understanding of the principles of the democratic elections, international and regional benchmarks governing elections, electoral laws of Seychelles and election methodology. ARID reported that they were pushing for the setting up of a mediation mechanism for dispute, for all ballot papers to be reconciled and recorded and for results to be posted outside polling stations after counting, as it is the best practice on the continent.

p. Citizen and International Election Observation

63. Political parties and candidates are entitled to appoint polling agents to monitor all steps of the voting, counting, transportation of marked ballots and tabulations. Citizen observation is also allowed. The AUEOM noted that two citizen groups, CDWS and ARID, were accredited to observe the elections and that they were able to deploy 26 and 35 observers over the three days of elections. Several international observer missions also deployed observers to Seychelles, including the African Union, SADC, SADC Electoral Commission Forum (ECF), SADC-Parliamentary Forum (PF), the Commonwealth, La Francophonie, and the Indian Ocean Commission (IOC). The AUEOM observed that citizen and international observers were present at all the polling stations visited and that they were allowed to observe the process without any interference.

IV. ELECTION DAY OBSERVATIONS

64. Regular voting on the Outer Islands took place in 14¹⁰ selected island centres on 8-9 September 2016. The Mission was informed that voters located in surrounding islands were transported to those centres to cast their ballots. Polling officials, polling agents and observers were flown from Mahé to those centres daily. The AUEOM was not able to observe voting in those areas due to lack of means of transportation.
65. Regular voting on the Inner Islands (Mahé, Praslin and La Digue) took place on 10th September 2016 from 7am to 7pm. There were 25 polling stations: 22 on Mahé, 2 on Praslin and 1 on La Digue. The number of voters per polling station varied from 1,972 to 4,126, and therefore, the local Electoral Officers had the power to decide how many streams needed to be set up to manage the number of voters registered in each area. Voters were divided into different streams by alphabetical order. At every polling station there were separate streams for the elderly, disabled and pregnant women.
66. The AUEOM observed special voting on the 8th of September 2016 and regular voting on 10th September 2016. On 8th September the AUEOM observed early voting in all the five special polling stations on Mahé Island and on 10th September, it observed all twenty-two polling stations on Mahé Island. No observers were deployed to Praslin and La Digue Islands due to logistical reasons. On a whole, the AUEOM observed opening, polling, closing and counting processes in a total of 27 polling stations.
67. The AUEOM noted that the atmosphere in which the polling was conducted over the three voting days was peaceful, calm and orderly, and in compliance with the laws of the country.
68. The AUEOM also noted that polling officials were generally professional and efficient in the management of Election Day processes, and the spirit of collaboration between them, the polling agents and observers greatly contributed to the smooth, orderly and transparent conduct of the polls. In addition, the AUEOM took note of the high number of women polling officials, including many Electoral Officers and party agents. However, PWDs were observed performing any of those duties.

1. Observations regarding Special Polling Stations on Mahé Island (8th September)

69. Section 18 (2) of the Elections Act provides for special voting for the following categories of voters: voters from Mahe who are registered at electoral areas other than those situated in Mahe, on the date of election in those electoral areas; voters temporarily residing on the Island of Praslin and Inner Islands for employment reasons, who are registered in electoral areas in Mahe; incapacitated and elderly persons residing in the

¹⁰¹⁰ Voting took place at the following special stations: National House, Silhouette polling station, Farquhar polling station, Desroches polling station, Coetivy polling station, Platte polling station, Alphonse polling station, Darros polling station, Remire polling station, Baie Ste Anne primary school, North East Point Home for the Elderly polling station, English River polling station, Ile Persévérance polling station, primary school, and Montagne Posée prison polling station.

home of the elderly; the voters registered in any electoral area and employed in the essential services and will be on duty away from their electoral area on the day of elections ; and those who are detained but not serving a sentence of imprisonment. Section 18 (3) sets out the procedures for voting in the Outer Islands.

70. Schedule 2 of the Elections Act, lists all categories of essential services personnel entitled to early voting as they may be on duty on Election Day. They include: purse seiners, staff of Air Seychelles and any other Airline, security for Presidents and Ex-Presidents, health workers , security personnel at the Electoral Commission's office, personnel from the Prison Service, Meteorological Services, polling station officials, airport services and air traffic control, personnel from Seychelles Fire and Rescue Services Agency (SFRSA), and public utilities Corporation personnel. The AUEOM noted that the voters in the above special facilities cast their ballots at the various special polling stations on Mahé Island on 8th September 2016
71. The AUEOM observed that all the ballots cast at the special polling stations on 8th September were put inside separate envelopes marked with the electoral area where each voter belongs. The Mission was informed that all the ballots cast on the Outer islands on the first and second days were also put inside separate envelopes marked with the electoral area where each voter belongs. The Mission was further informed that after the closing of voting, these envelopes were brought in ballot boxes to Mahé, where they were kept under the custody of the Chief Electoral Officer until 10th September 2016. Polling agents were allowed to place their seals on the ballot boxes for added security.

a. Opening Procedures

72. The AUEOM observed the opening, voting and closing processes in all five special polling stations on Mahé Island on the 8th of September. The AUEOM noted that in all the visited polling stations, polling took place in an orderly and peaceful environment. . The electoral process was conducted in a professional and competent manner and that party and candidate agents as well as national and international observers were present throughout the day. The AUEOM observed that three of the polling stations opened on time while two delayed opening for one hour or more¹¹. The AUEOM also observed that at all polling stations, all ballot papers were counted and the numbers recorded before the beginning of voting, as instructed.

b. Polling procedures

73. AUEOM teams noted that most voters coming into the polling stations, at the time the observers were present, were able to vote. The only significant exceptions were at the

¹¹ At Montagne Posée polling station, the ballot paper booklet for one of the electoral districts was missing, and voting only began at 08H20, after the booklet arrived. At the North East Point Home for the Elderly polling station, AU observers were told that voting would only start at 08H00, although all preparations were concluded on time, because 07H00 was too early for the elderly and patients who were supposed to vote at that location.

Montagne Posée and National House polling stations¹². The AUEOM however noted that since registered voters were not issued with voters' cards as proof of registration, it was difficult to ascertain whether those people who were turned away were indeed unregistered voters. Conversely, the AUEOM observed that a group of five Air Seychelles crew members, whose names were not on the list of pre-approved voters, were allowed to vote at the English River polling station. The team which presented proof that they were going to be on duty on 10th September were allowed to vote after consultations with the Electoral Commission and the party agents.

74. The AUEOM noted that all voters requiring assistance with voting were duly assisted, but there were some inconsistencies in the provision of assistance. For instance, at the North East Point Home for the Elderly polling stations, observers witnessed two cases where voters were assisted in marking the ballot by relatives, and the Electoral Officer only assisted in placing the ballots in the ballot box. The observers reported that police officers were present at all five polling stations, and their behaviour was described as professional and discreet.

c. Closing Procedures

75. The AUEOM observed that all polling stations except one¹³ closed on time. The Mission observed that in all polling stations, polling officials strictly followed all closing procedures. The number of voters' names ticked off on the voter register was counted, recorded and reconciled with the number of ballot papers received, used and unused. AU observers did not report any irregularities or formal complaints throughout the process.

2. Observations regarding Regular Voting on Mahé Island (10th September)

a. Opening Procedures

76. The AUEOM observed the opening procedures at eight (8) polling stations. These were Anse aux Pins, Mount Buxton, Mont Fleuri, Roche caïman, Anse Royale, Port Glaud, and Bel Ombre, and Beau Vallon.

77. The AUEOM noted that all these polling stations followed the required procedures, including counting and recording the number of ballot papers received, crossing off the names of early voters, locking and sealing the ballot boxes after showing them to be empty to all present. At the Bel Air polling station, there were less ballot papers than registered voters - since 128 of the 137 voters had already voted on the 8th and 9th, the polling station opened with 9 ballot papers short.

¹² At the Montagne Posée polling station, 16 remandees, who claimed to be registered voters, were not able to vote because their names did not appear in the voter register. This number represents 20% of all remandees who showed up at the polling station. At the National House polling station, one voter was turned away because his name was not on the voter register.

¹³ The English River polling station closed after the scheduled time as there was still a queue of voters at 16H00. All voters in the queue were allowed to vote, in accordance with the law, and voting ended at 16H20.

78. The AUEOM noted that of the eight polling stations where they observed opening procedures, two polling stations, Anse aux Pins and Anse Royale¹⁴ opened late. The Mission further reported that, of the 15 polling stations visited after the opening process, only 2 polling stations, namely St. Louis and Les Mamelles reported opening late¹⁵.
79. The AUEOM observed that all polling stations had all the necessary materials to conduct voting operations.

b. Voting

80. The AUEOM reported that the voting process was largely orderly and peaceful. In some polling stations, the organisation of voters in alphabetical order caused some initial confusion and delays, but in most of them the procedure actually made voting smoother.
81. The AUEOM noted that electoral officers were generally consultative and transparent in their management of the process. The teams observed that unarmed police officers were present at all polling stations, and their behaviour was consistently described as professional and discreet. Most of them were women.
82. Polling agents from the two main parties were present at all polling stations throughout the voting period and were able to monitor the process without hindrance. Citizen observers were found in 86% of the observed polling stations. Women constituted 76% of polling officials, 78% of party and candidate agents and 66% of national observers.
83. The AU observers noted with satisfaction that there were very few observed cases of voters being turned away without voting because their names were not on the voter register. Voters were turned away at Takamaka, Anse Etoile, Port Glaud and Bel Ombre polling stations¹⁶. The Mission further noted that in some instances, voters' details on ID cards did not match the details on the voter register, but generally those voters were allowed to vote after consultation with the Electoral Commission.
84. The AUEOM observers reported that the layout of polling stations was adequate to ensure the secrecy of the vote and the easy flow of voters. They further reported that the average time for voters to go through the polling station cycle was less than three minutes, which indicates good knowledge and management of voting procedures by polling officials and voters alike.
85. The AUEOM noted with satisfaction that almost all observed polling stations were accessible to voters with disabilities, and that at most polling stations special queues were dedicated to the elderly, the disabled, pregnant women, and nursing mothers. However, there were inconsistencies in the application of procedures for assisted voters. In some cases, voters were assisted by persons accompanying them, rather than the

¹⁴ Anse aux Pins opened 20 minutes late due to delays in crossing off the names of early voters. Anse Royale opened 40 minutes late due to lack of enough polling station staff, and delays in crossing off the names of early voters.

¹⁵ St. Louis opened late by 15 minutes due to delays in counting ballot papers while Les Mamelles opened 30 minutes late for the same reason.

¹⁶ At Takamaka, a resident of Ile Perseverance claimed to be registered in that electoral area, but his name was not found in the voter register. At Anse Etoile the name of one voter was also not found on the register. At Port Glaud, one police officer was refused access to vote because he was in police uniform and at Bel Ombre two names were not found on the register.

Electoral Officer. At the Cascade polling station, priority voters only started voting at 09:30 in the morning.

c. Closing and Counting Procedures

86. The AUEOM observed closing and counting procedures at the eight polling stations where they observed the opening procedures. The Mission noted that three of the eight observed polling stations closed later than the regular closing time due to the queues of voters still waiting to cast their ballots. In some cases, this was caused by the late start of voting in the morning, and in others it was due to the high number of voters assigned to a single polling station. The observers reported that in all the polling stations where they observed the closing procedures, all voters in the queues were allowed to vote in accordance with the law.
87. The AUEOM noted that the closing and counting process followed all required procedures, but was often tedious due to the high number of ballot papers to be counted at each polling station¹⁷. The Mission however noted some discrepancies during the counting process where for instance, at the Anse aux Pins polling station, the number of voters ticked off the voters register did not tally with the number of ballots in the boxes by 1, but all stakeholders agreed to accept it.
88. The Mission noted as it was noted in 2015, that the electoral legislation does not provide for the posting of results publicly outside the polling stations, as it is the best practice on the continent. However, party and candidate agents received copies of the results forms, in accordance with the new procedure approved for these elections.

¹⁷ The largest constituency, Anse Etoile, has 4,126 registered voters while the smallest, Roche Caiman, has 1,972 registered voters.

V. POST ELECTION OBSERVATION

a. Tabulation of Results

89. Section 36 of the elections Act, 1995 (amended) sets out the procedures for counting and submission of election results. The AUEOM observed the tabulation and announcement of results which took place at the Electoral Commissions headquarters at Victoria. The AUEOM noted with satisfaction the transparent and efficient manner in which the results were announced by the ECS, which contributed to the acceptance of the outcome of the elections. The Mission was particularly impressed by the amicable and positive messages conveyed by both winners and losers at the ceremony of results announcement, where both accepted the outcome without reservations.

b. Announcement of Results

90. In the early morning of 11th September 2016, and in compliance with the legal framework, the Chairman of the ECS, Mr. Hendrick Gappy, announced the 25 winners of the legislative elections. As per the announced results, the LDS won 15 out of 25 directly contested constituencies, while the ruling PL secured the remaining 10 districts. Each party won four additional proportional seats. This marked the first time since the return of multiparty democracy in Seychelles in 1993 that the ruling party, PL has lost its majority in parliament. For the proportional seats, LDS added 2 men and 2 women through the PR list, whereas PL added 3 men and 1 woman. The total of women MNA increased from 4 to 7, that is from 16% of the constituencies seats to 21.2% overall (7 out of 33).

The final tally is represented on the table below:

Table 2: Final Legislative Results

	Registered Voters 2016	Results 2016	Parti Lepep (PL)	SPM	LDS	Individual	Valid	Total Cast
Anse Aux Pins	3,355	LDS	1,333	31	1,455	78		
Anse Boileau	3,358	LDS	1,332	29	1,571			
Anse Etoile	4,126	LDS	1,437	42	2,023			
Anse Royale	3,358	PL	1,532	16	1,315			
Au Cap	3,455	LDS	1,171	39	1,678	31		
Baie Lazare	2,667	LDS	1,048	23	1,229			
Baie Ste Anne Praslin	3,382	LP	1,617	15	1,172			

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Beau Vallon	3,381	LDS	1,195	28	1,622			
Bel Air	2,439	LDS	951	13	1,103			
Bel Ombre	3,190	LDS	1,283	16	1,391			
Cascade	2,874	PL	1,562	12	940			
English River	3,040	PL	1,316	22	1,255			
Glacis	3,268	LDS	1,217	26	1,428			
Grand Anse Mahé	2,427	PL	1,160	21	893			
Grand Anse Praslin	2,703	LDS	1,127	62	1,151			
Inner Islands	2,003	PL	1,187	13	492			
Les Mamelles	2,431	LDS	991	52	1,079			
Mont Buxton	3,009	LDS	1,216	23	1,318	19		
Mont Fleuri	2,755	LDS	1,046	37	1,271			
Plaisance	3,360	LDS	1,370	22	1,473			
Pointe Larue	2,418	PL	1,171	28	867			
Port Glaud	1,984	PL	936	20	812			
Roche Caiman	1,972	PL	982	12	720			
St. Louis	2,670	LDS	979		1,222			
Takamaka	2,307	PL	1,059		964			
TOTAL	71,932	10:15	30,218	602	30,444	128	61,392	62,939
			49.22%	0.98%	49.59%	0.21%	71,932	87.5%

Source: The Electoral Commission of Seychelles.

VI. CONCLUSION AND RECOMMENDATIONS

a. Conclusion

91. Based on its observations and findings, the AUEOM concluded that the 8-10 September 2016 electoral process in Seychelles was transparent, credible, and peaceful; and was conducted in an atmosphere of peace, order, and tranquillity, in accordance with the constitution and Electoral Laws of the Republic of Seychelles, and largely met the standards of the AU instruments for the conduct of democratic elections. The acceptance of the outcome of the 2016 National Assembly elections by the people of Seychelles demonstrated to the African continent and the world their commitment to the continued improvement of democracy in their country. The AUEOM wishes to express its gratitude to the authorities and people of the Republic of Seychelles for the enabling environment that allowed for the performance of its task.

b. Recommendations

92. Based on its observations and consultations, the AUEOM offered the following recommendations with a view to improve future electoral processes and strengthening the democratic development in the country. Some of these recommendations had already been presented after the 2015 presidential election:

To the National Assembly:

- Revise the process of appointment to the Electoral Commission to further strengthen its independence;
- Introduce mechanisms to improve women representation in the ECS and in the National Assembly as well as strengthening democratic governance in order to enhance women's participation in politics;
- Introduce biometric voter registration and issue voters' identity cards as proof of registration and as main means of voter identification on Election Day;
- Reform campaign finance regulations, especially by placing limits on campaign expenditures and introducing public funding for campaigns including special support for female candidates during campaigns;
- Establish non-judicial mechanisms for arbitration of electoral disputes;
- Create additional polling stations in the electoral areas with the highest number of voters in order to shorten the voting and counting processes;
- Introduce measures to allow voters with disability, especially visually impaired voters, to vote autonomously and thus protect the secrecy of their vote;
- Make it mandatory to post election results publicly outside the respective polling stations for increased transparency of the process; and
- Provide access to voting abroad so that Seychelles citizens in the Diaspora can exercise their right to choose their leaders.

To the Electoral Commission of Seychelles:

- Increase the transparency and credibility of the electoral process through improved communication with stakeholders and the public at large regarding the interpretation of the law and application of procedures;
- Take appropriate measures to improve the integrity and credibility of the voter register; and
- Improve public education regarding voters' registration procedures and voting procedures.

To Political Parties:

- Increase opportunities for the participation of women in political leadership and candidates for elections;
- Refrain from using inflammatory language and other forms of hate speech during campaigns;
- Enhance inter-party dialogue to facilitate democratic principles and peace in the country and
- Engage in dialogue to deepen multi-party democracy and advance socio-economic development in the country.

Annex 1: Deployment Plan

Team No.	Name	Nationality	Deployment Area/Polling Station	District
Day 1- 8th September 2016				
1	H.E. Fatuma Ndangiza M-ETassyla-YE- Doumbeneny H.E. Mme Bineta Diop	Rwanda Gabon Senegal	North East Point Home for the Elderly; English River Polling Station; Montagne Posee Polling Station.	Anse Boileau District
2	Jummai Bappah Julie Konie	Nigeria Cote d'Ivoire	North East Point Home for the Elderly	Anse Boileau District
4	Hon. Aminata Niang Fatima Karadja	Mauritania Algeria	Ille Perseverance Polling Station Primary School	Ille Perseverance
5	Thandiwe Ngwenya Hon. Cecilia Chazama	Zimbabwe Malawi	Montagne Posee Prison Polling Station	Au Cap District
6	Maria Brito Tikikel Tadele Alemu	Cape Verde Ethiopia	English River Polling Station	English River District
8	Bilkisu Babba Kaita Etta Rosamond Koroma	Nigeria Sierra Leone	National House	Victoria
Day 2 – 9th September 2016				
7	Marie Francoise Labelle Christine Ndayishimiye	Mauritius Burundi	Electoral Commission HQ	Victoria
Day 3 – 10th September 2016				
1	H.E. Fatuma Ndangiza M-E Tassyla-YE- Doumbeneny H.E. Mme Bineta Diop	Rwanda Gabon Senegal	Beau Vallon Polling Station; Mount Buxton Polling Station; Mont Fleuri Polling Station; Les mamelles Polling Station; Anse Royale Polling Station; Port Glaud Polling Station.	Anse aux Pins
2	Jummai Bappah Julie Konie	Nigeria Cote d'Ivoire	Anse aux Pins primary school; Cascade primary school; Pointe	Anse aux Pins

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			LaRue primary school	
3	Hon. Jacqueline Amongin Speciose Ayinkamiye	Uganda Rwanda	La Rosiere primary school; English River School; Saint Louis Belonie School	Mount Buxton
4	Hon. Aminata Niang Fatima Karadja	Mauritania Algeria	Ex-Seychelles College; Bel Eau School; Au Cap primary school	Mont Fleuri
5	Thandiwe Ngwenya Hon. Cecilia Chazama	Zimbabwe Malawi	Community Centre; Les Mamelles Community Centre; Plaisance primary school	Roche Caiman; Les Mamelles
6	Maria Brito Tikikel Tadele Alemu	Cape Verde Ethiopia	University of Seychelles; Baie Lazare primary school; Takamaka Community Centre	Anse Royale
7	Marie Françoise Labelle Christine Ndayishimiye	Mauritius Burundi	Port Glaud community centre; Grand Anse primary school; Anse Boileau community centre	Port Glaud
8	Bilkisu Babba Kaita Etta Rosamond Koroma	Nigeria Sierra Leone	Bel Ombre community centre; Glacis primary school; Beau Vallon community centre.	Bel Ombre

Coordination Team

1. **Ms. Sharon Ndlovu and Ms. Victoria Maloka: Coordinators**
2. **Ms. Theophilia Shaanika: Bureau of the Chairperson**
3. **Ms. Esther Tankouo: Communication**
4. **Ms. Adelaide Dolly Selolwane: Finance Officer**
5. **Ms. Kyembe Bulundwe (PAP)**
6. **Mr. Miguel Brito and Ms. Magdalena Kieti (EISA)**
7. **Mrs. Kebeouch Tessema: Administrative Secretary**