



**SADC ELECTORAL OBSERVER MISSION (SEOM)
TO THE REPUBLIC OF NAMIBIA**

PRELIMINARY STATEMENT

BY

**HON. FRANCISCO MADEIRA, MINISTER FOR DIPLOMATIC
AFFAIRS IN THE OFFICE OF THE PRESIDENT OF THE
REPUBLIC OF MOZAMBIQUE**

AND

**HEAD OF SADC ELECTORAL OBSERVER MISSION TO THE
PRESIDENTIAL AND NATIONAL ASSEMBLY ELECTIONS IN
THE REPUBLIC OF NAMIBIA**

HELD FROM 27 - 28 NOVEMBER 2009

1. INTRODUCTION

- 1.1 In line with the Southern African Development Community (SADC) Principles and Guidelines Governing Democratic Elections, the Government of the Republic of Namibia invited SADC to observe Presidential and National Assembly Elections that took place from 27 to 28 November 2009.
- 1.2 Following the invitation, the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, **His Excellency Armando Emílio Guebuza, President of the Republic of Mozambique** constituted the SADC Electoral Observer Mission (SEOM) to the Republic of Namibia and mandated the SADC Executive Secretary, Dr Tomás Salomão, to facilitate the administrative and logistical support for the Mission.
- 1.3 The Chairperson of the SADC Organ on Politics, Defence and Security Cooperation appointed me, Fransisco Madeira, Minister for Diplomatic Affairs in the Office of the President of the Republic of Mozambique to head the Mission.
- 1.4 The SEOM was officially launched on 18 November 2009, by the Head of Mission, in the presence of the Executive Secretary of SADC, SADC Observers, Members of the Diplomatic Corps accredited to the

Republic of Namibia, the Media, stakeholders and invited dignitaries.

2. THE ROLE OF SADC OBSERVERS IN THE PRESIDENTIAL AND NATIONAL ASSEMBLY ELECTIONS IN THE REPUBLIC OF NAMIBIA

2.1 When the SEOM was launched on 18 November 2009, Observers were urged to adhere to the SADC Principles and Guidelines Governing Democratic Elections and also the Code of Conduct Governing the Observers in Namibia in performance of their duties. In discharging their duties, emphasis was put on the following:

- § To observe elections impartially and independently of any contesting political party or candidate;
- § To comply with the laws and relevant regulations of the Republic of Namibia;
- § Not to interfere and/or disrupt the voting process; and
- § Not to express their views or opinion on any matter that is subject to the electoral campaign, programme or activities.

2.2 Further to the above, the Electoral Commission of Namibia (ECN) availed an electoral kit which contained among others: Handbook for Elections Observers in Namibia, Copy of the Constitution of

Namibia , the Electoral Law of Namibia, and the Map of Namibia with detailed information on what observers needed to know about the electoral process in the Country.

3. DEPLOYMENT

3.1 Guided by the SADC Principles and Guidelines Governing Democratic Elections, the Mission deployed 17 teams of observers in all the thirteen Regions to cover all the 107 Administrative Constituencies in the Country. The field teams were tasked with the responsibility to cover their areas of deployment and report back to the Head of Mission. This enabled the Mission to have a full picture of the electoral process in the Country upon which an informed assessment was drawn. The Administrative Regions covered were: Caprivi, Erongo, Hardap, Karas, Kavango, Khomas, Kunene, Ohangwena, Omaheke, Omusati, Oshana, Oshikoto and Otjozondjupa.

3.2 The deployment of the SEOM was preceded by the SADC Advance Team. This Team was constituted by the Diplomatic and Consular Missions accredited to the Republic of Namibia. It laid the foundation for the formal and institutional SEOM deployment.

3.3 There were a hundred and twenty (120) observers drawn from the SADC Member States. They comprised

Members of Parliament, Diplomats, Civil Servants and representatives from the Civil Society. The activities of the SEOM across the Country were co-ordinated at the Operations Centre based at Safari Hotel, in Windhoek, Namibia. The Operation Centre was staffed with officials from the Troika of the Organ on Politics, Defence and Security Cooperation and the SADC Secretariat.

- 3.4 After days of intensive work, the SEOM has the honour to announce its preliminary statement, pending a detailed report on the electoral process in Namibia within thirty (30) days after the announcement of the election results in line with the SADC Principles and Guidelines Governing Democratic Elections.

4. CONSULTATIONS WITH STAKEHOLDERS

- 4.1 In discharging its duties, the SEOM interacted with various stakeholders in order to gather information on various aspects of the electoral process. These included, *inter alia*:

- a) H.E. Hifikepunye Pohamba, President of the Republic of Namibia;
- b) Deputy Minister of Foreign Affairs
- c) Electoral Commission of Namibia (ECN);
- d) Members of the Diplomatic Corps accredited to the Republic of Namibia;

e) The Media Institute of Southern Africa (MISA) Namibia Chapter; and

f) Members of Non-Governmental Trust (Umbrella body of NGO's in Namibia).

g) **Political Parties**

- All People's Party;
- Democratic Party of Namibia;
- Namibia Democratic Movement for Change;
- National Unity Democratic Organisation of Namibia;
- Congress of Democrats;
- Democratic Turnhalle Alliance of Namibia;
- Democratic Party of Namibia;
- National Democratic Party of Namibia;
- Rally for Democracy and Progress;
- Republican Party of Namibia;
- South West Africa National Union ;
- United Democratic Front of Namibia;
- National Democratic Organisation of Namibia;
- South West Africa People's Organisation of Namibia.

h) **Electoral Observer Missions**

- Pan African Parliament;
- Electoral Commission Forum (ECF).

4.2 The Head of Mission visited various regions in the country. The purpose of these visits was to have direct

consultation with stakeholders involved in the electoral process.

4.3 The interactions assisted the SEOM to better understand the prevailing pre-election political environment in the country. In this regard, the following concerns were persistently brought to the attention of the Mission by some of the stakeholders:

- a) The discrepancies in the voters' roll;
- b) Unbalanced, insufficient and lack of funding to political parties for political activities;
- c) Unbalanced State Media coverage among the political parties;
- d) The "*Two Polling Days*" concern was raised for the following reasons:
 - i. Being prone to manipulation;
 - ii. The safety of the ballot boxes on the night of 27 November 2009.

4.4 The SEOM pursued these concerns in a systematic manner by conducting further investigations and sought clarity from relevant authorities, and therefore submits the following findings on the persistent concerns:

The Voters' Roll

- a) The ECN informed the mission that the voters' roll was updated as required by law, and accordingly, distributed the corrected version in the form of CD-Rom to

stakeholders. The ECN acknowledged the discrepancies in the voters' roll, and noted that its updating requirements goes through the legal process which takes time.

Funding of Political Parties

- b) The authorities informed the mission that the funding of political parties is determined by proportional representation in Parliament annually as required by law. Parties are not funded for elections. Those not represented in Parliament are not eligible for funding.

Media Coverage

- c) The concerns of unbalanced media coverage were brought to the attention of the authorities as presented by some stakeholders. However, the mission was informed by relevant authorities that there were no restrictions in terms of media coverage.

The Two-Days Polling Concern

- d) On the *"Two Polling Days"* concern and the safety of the ballot papers on the night of 27 November 2009, the authorities responded that:

- The Country is vast;
- It is sparsely populated;
- Part of its population nomadic and this, therefore, required more time;

- One day polling is costly in terms of human resources and logistics.
- (e) With regards to the security of the ballot papers on the night of 27 November 2009, the authorities indicated that the ballot papers would be secured because the State Law Enforcement Agencies, the Election Officers and Party Agents would be deployed and overnight to all Polling Stations throughout the country.

5. THE PRE-ELECTION PHASE

5.1 Generally, the pre-election phase was characterised by a peaceful, tolerant and yet enthusiastic political atmosphere. There was clear evidence of vigour and enthusiasm among political leaders and their supporters as they conducted their campaigns. Posters, pamphlets, flyers, stickers, T-shirts and other regalia were prevalent and visible throughout the Country.

5.2 Although there were some incidences of violence reported in some parts of the country, the Law Enforcement Agencies were able to adequately bring the situation to normalcy. These acts of violence were roundly condemned by all the political leaders in the country. All the political parties appreciated the role played by Law Enforcement Agencies in containing the security situation during the campaign period.

5.3 The SEOM observed that all political parties were free to hold rallies and meetings. Relevant law enforcement agencies were poised to respond to any threat or disruption of law and order.

5.4 The SEOM also observed the reception of voting materials and their verification by the ECN officials and the political party agents. Party agents expressed satisfaction about the verification process.

6. POLLING PROCESS

6.1 Most polling stations opened and closed on time. The electoral officials explained the procedures to voters who did not understand the voting process. They also provided assistance to the sick, disabled, aged and people with impaired vision.

6.2 The use of translucent ballot boxes reinforced the national confidence and trust in the electoral process. The presence of party agents, monitors and observers at the polling stations assured all stakeholders of the transparency of the process. Law Enforcement Agencies were present in all polling stations.

6.3 The Mission noted that the Electoral Officers discharged their duties professionally and the Law Enforcement Agencies arrested those who attempted to undermine the electoral process.

- 6.4 The SEOM was impressed by the patience of voters, who were able to express their franchise peacefully, freely and unhindered.
- 6.5 The introduction of the electronic voters roll speeded up the voting. This also increased the confidence of the electoral process;
- 6.6 The indelible and invisible inks, and the ultra-violet systems were used simultaneously to deter and detect multiple voting.

7. VOTE COUNTING PROCESS

- 7.1 The SEOM observed that the counting process began immediately after the closure of most polling stations on 28 November 2009. The counting process was conducted procedurally. By and large, there was enough light during the counting, and in areas where there was no electricity, gas lamps were used as an alternative source of light.
- 7.2 It is worth noting that most of the stakeholders, such as party agents, monitors, presiding officers, local and other international observers witnessed the conclusion of the electoral process.

- 7.3 After the counting, the SEOM observed that the presiding officers signed and likewise party agents counter-signed to verify the results in the presence of the observers. The election results were announced and posted outside the polling stations.
- 7.4 The mission also observed that the electoral procedures were adhered to at each and every polling station.

8. THE SEOM RECOMMENDATIONS

- 8.1 In considering the above concerns, the SADC Electoral Observer Mission makes the following recommendations:
- a) That political parties and other stakeholders should study and adhere to SADC Principles and Guidelines Governing Democratic Elections;
 - b) That a forum involving the ECN, Media Institutions and other stakeholders be established in order to improve communication among them in addressing electoral matters;
 - c) Consider early publication and verification of the voters' roll to minimize future discrepancies;
 - d) That relevant stakeholders consider the possibility of reviewing the method of access to State Media and develop Media Code of Conduct;
 - (e) ECN to consider enhanced voter education and timely training of the election officers and party agents;

9 **BEST DEMOCRATIC PRACTICES AND LESSONS LEARNT:**

9.1 In the course of observing the Namibian election, our Mission noted the following best democratic practices in the Country's electoral system:

- a) The adoption of the system by the ECN of vote counting and posting of the results at the polling station immediately after the closing of the polls;
- b) Use of mobile voting stations to reach out the wide spectrum of voters, among others the sick in health institutions;
- c) Introduction of voters' right to the prisoners/inmates,
- d) Introduction of the right to vote for the Namibians in Diaspora and at Sea;
- e) Introduction of the Braille ballot papers for the blind voters;
- f) Use of translucent ballot boxes;
- g) Simultaneous use of "**invisible**" and "**indelible**" ink and *ultra-violet* systems to curb double voting;
- (h) Efficient use of the electronic voters roll;

10 **CONCLUSION**

10.1 The Mission is honoured and privileged to share its observations of the 27 and 28 November 2009 Presidential and National Assembly Elections in the

Republic of Namibia with all the stakeholders and the international community.

10.2 The Mission has come to a conclusion that though some of the concerns raised were pertinent, they were not of such a magnitude as to affect the credibility of the overall electoral process.

10.3 The Mission noted with satisfaction the professional and dedicated manner in which all the electoral officials and Law Enforcement Officers conducted their assigned responsibilities throughout the electoral process.

10.4 The Mission applauds the Namibia people for the manner in which they expressed their will and conducted themselves during the entire electoral process thus contributing to the consolidation of democracy and political stability in Namibia, the SADC region and the African Continent at large.

10.5 In line with SADC Principles and Guidelines Governing Democratic Elections and the Electoral Laws of Namibia, the Mission would like to urge all political parties and candidates to respect the **will** of the people. In this context any grievances arising from this process should be pursued in accordance with the laws of the Country.

10.6 The Mission expresses gratitude to the Government and people of Namibia for inviting SADC Electoral Observer

Mission and the facilities availed to the mission which enabled it to successfully accomplish its mandate.

- 10.7 Therefore, I, on behalf of the Chairperson of the Organ on Politics, Defence and Security Cooperation, **His Excellency Armando Emílio Guebuza President of the Republic of Mozambique**, hereby declare that the 27 and 28 November 2009, Presidential and National Assembly Elections were transparent, credible, peaceful, free and fair.

I thank you.

Windhoek, NAMIBIA.