



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

PRELIMINARY STATEMENT

BY

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NATIONAL ASSEMBLY ELECTIONS IN THE REPUBLIC OF
MAURITIUS**

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1. INTRODUCTION

- 1.1 In line with the Southern African Development Community (SADC) Principles and Guidelines Governing Democratic Elections, Mauritian authorities invited SADC to observe its National Assembly Elections that took place on 5 May 2010.
- 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 Mauritius and mandated the SADC Executive Secretary, Dr Tomás Augusto 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 Hon. Henrique Banze, Deputy Minister for Foreign Affairs and Cooperation of the Republic of Mozambique, to Head the Mission.
- 1.4 The SEOM was officially launched on 25 April 2010, by the Head of Mission, in the presence of the Deputy Executive Secretary of SADC, His Excellency Eng. João Samuel Caholo, SADC Observers, stakeholders and invited dignitaries.

2. ROLE OF SADC OBSERVERS IN THE NATIONAL ASSEMBLY ELECTIONS IN MAURITIUS

2.1 When the SEOM was launched on 25 April 2010, Observers were urged to adhere to the SADC Principles and Guidelines Governing Democratic Elections and also local rules and relevant legislations governing the conduct of elections in the Republic of Mauritius. In discharging their duties, emphasis was put, among others, on the following:

- (a) to observe elections based on the principle of impartiality and independence;
- (b) to comply with the laws and relevant regulations of the Republic of Mauritius;
- (c) not to interfere and/or disrupt the voting process; and
- (d) not to express their views or opinion on any matter that is subject to the electoral campaign, programme or activities.

2.2 In addition to the Mauritius Constitution, the Electoral Commission availed the Electoral Act and the Code of Conduct for the 2010 National Assembly Elections with detailed information on what participants needed to know about the electoral process in the country.

2.3 Further to the above, the SEOM conducted a two-day induction Seminar for the Observers facilitated by the Electoral Institute of Southern Africa (EISA). The purpose of the seminar was to prepare the observers to be able to fully understand their role and conduct their duties effectively.

3. DEPLOYMENT

3.1 The Mission deployed 11 observer teams to cover all the 21 Constituencies in the country in all ten (10) districts, namely Black River, Flacq, Grand Port, Moka, Pamplemousses, Plaines Wilhems, Port Louis, Rivière du Rempart, Savanne and Rodrigues.

Field teams were set up and tasked with the responsibility to cover their areas of deployment and report back to Head of Mission on a regular basis. This enabled the Mission to have an insight into the electoral process of the country upon which an informed assessment was drawn.

3.2 There were fifty-two (52) observers drawn from the SADC Member States, namely Angola, Botswana, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. The activities of the SEOM across the country were co-ordinated at the Operation Centre based at Le Suffren Hotel, in Port Louis. The Operation Centre was staffed with officials from the Troika of the Organ on Politics, Defence and Security Cooperation, that is Mozambique, Zambia and Swaziland and the SADC Secretariat

3.3 After days of intensive work, the SEOM has the honour to announce its preliminary views on the outcome of its observation. A detailed report on the electoral process in Mauritius shall be released 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 discharge of its duties, the SEOM interacted with various stakeholders in order to gather information on various aspects of the electoral process. These included, *inter alia*:

- H.E. Dr. Anerood Jugnauth, President of the Republic of Mauritius,
- Dr Navinchandra Ramgoolam, Prime Minister,
- Electoral Commission of Mauritius,
- Mauritius Police Force,
- Mauritian Broadcasting Corporation (MBC),
- Independent Broadcasting Authority (IBA),
- Members of the Diplomatic Corps accredited to the Republic of Mauritius.

Political Parties

- Alliance de l'Avenir
- Alliance du Coeur
- Unir Pour Batir;

- Mouvement Citoyen Mauricien (MCM);
- Platform pou nouvo Konstitisyon: Sitwayennté, Egalité ek Erolozi;
- Muvman Premye Me

Electoral Observer Missions

- Electoral Commissions Forum (ECF);
- Electoral Institute of Southern Africa (EISA)
- SADC Parliamentary Forum

Civil society Organizations

- Confederation of Free Trade Unions
- We Love Mauritius Organization;
- Consumer Association of Mauritius

Media

- British Broadcasting Cooperation
- Le Defi Plus

4.2 As much as SEOM would have wished to meet as many stakeholders as possible, due to time constraints, it was not feasible.

4.3 The interactions mentioned above assisted the SEOM to understand the prevailing pre-election political environment in

the country. In this regard, the following concerns were persistently mentioned by the stakeholders:

- (a) Unbalanced and lack of funding for political activities, including electoral campaigns;
- (b) The absence of a provision to allow local observers during the elections;
- (c) The sudden announcement of the election date;
- (d) The requirement that Parliamentary candidates indicate their community on the application form;
- (e) The use of public resources by the ruling party;
- (f) Unbalanced and manipulated Media coverage.

4.4 The SEOM pursued these concerns in a systematic manner by seeking clarification from relevant authorities and therefore, submits the following findings:

(a) **Funding for Political Parties**

The authorities responded that there is no legal provision for state funding political parties. There is only a provision that stipulates the amount that should not be exceeded for electoral campaign expenses. Therefore, political parties had to use their own initiative to fund their electoral campaigns.

(b) **Participation of Local Observers**

There is no provision in both the Constitution and the Electoral Act for the participation of local observers in the Mauritian electoral process. However, the authorities acknowledged the need for electoral reforms that would provide for the active participation of local observers.

(c) **Announcement of the Election Date**

The legal framework gives the President power to determine the date of elections any time. The announcement of the election date was therefore within the provisions of Mauritian laws.

(d) **Obligation to State Community Represented by Parliamentary Candidates**

The obligation for the candidates to indicate their communities is a requirement contained in the National Assembly Elections Regulations, 1968. It was further explained that its purpose is to ensure equal representation and that it helps in identifying the **best losers** required to fill representational seats.

(e) **Use of Public Resources**

Only Government Ministers are allowed to use government resources because they remain in office until the new government is sworn in and therefore will be expected to continue to serve the nation during the period.

(f) **Media Coverage**

It was established that there were no restrictions in terms of print media coverage. For electronic media coverage by the national broadcaster, political parties featuring at least six (6) candidates in Mauritius and two (2) in Rodrigues are automatically entitled to air time allocated to each candidate. Candidates who were members of the last parliament are entitled to extra airtime.

However, the concerns of unbalanced media coverage were brought to the attention of the authorities as presented by some stakeholders;

4.5 The SEOM is of the view that although some of the concerns raised were important, their magnitude of importance could not affect the credibility of the overall electoral process. However, any changes that may be made will have to be done within the legal framework.

5. OBSERVATION PHASES OF THE ELECTORAL PROCESS

The SEOM undertook its observation in three phases of the electoral process, namely, the pre-election, election and post-election.

5.1 Pre-Election Phase

- (a) Generally, the pre-election phase was characterised by a peaceful and tolerant political atmosphere. There was clear evidence of vigour and confidence among political leaders and their supporters as they conducted their campaigns. Flags, pamphlets, T- shirts and other regalia were prevalent and visible throughout the country.
- (b) The SEOM observed that all political parties were free to hold rallies and meetings without hindrance. Relevant law enforcement agencies were poised to respond to any threat or disruption of the law and order.
- (c) Although there were minor incidences of misunderstanding reported, the law enforcement agents were able to adequately bring the situation to normal.
- (d) The SEOM also observed the reception of voting materials and their verification by the electoral officials and the political party agents. Party agents expressed satisfaction about the verification process. Nothing was tempered with and they were secured at Police Stations.

5.2 Polling Phase

- (a) Polling stations opened and closed on time. The electoral officials explained the procedures to voters and provided assistance to the aged and some disabled/handicapped people.
- (b) The use of translucent ballot boxes for the **first time** 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 officials were present in all polling stations and deployed at a reasonable distance.
- (c) The informal help desks set-up by various contending political parties far from Polling Stations appeared to have enhanced the confidence, transparency and credibility of the polling process among the Mauritius people.
- (d) SEOM was encouraged by the enthusiasm of voters, who were able to express their franchise peacefully, freely and unhindered. It is therefore, SEOM's overall view that the Polling Phase was conducted in an open and peaceful manner.

5.3 Vote Counting Process

- (a) the SEOM observed that the counting process was conducted in accordance with the Mauritius legal framework. It was peaceful and started on time in the Counting Centres on 6 May 2010.
- (b) it is worth noting that most of the stakeholders, such as party agents, monitors, presiding officers and international observers witnessed the conclusion of the electoral process.
- (c) 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 other role players. The election results were announced and posted outside at most of the polling stations.
- (d) the Mission also observed that the electoral procedures were generally adhered to at each polling station.

6. THE SEOM RECOMMENDATIONS

- 6.1 In considering the above concerns and observations, the SADC Electoral Observer Mission makes the following recommendations:

- (a) that the relevant authorities may consider the need for providing the statutory instruments to give legal authority to the Electoral Code of Conduct;
- (b) that in order to strengthen the security measures and to be in line with common electoral practices in most SADC countries, the relevant authorities could consider addressing the use of voter's identity card and or indelible ink. This may also help to curb the possibility of double voting;
- (c) that the authorities may consider an appropriate mechanism for funding political election activities;
- (d) that although the obligation for candidates to indicate their communities is legally provided for to ensure equal representation, there is need to consider other options to guarantee full participation of Mauritian people in democratic institutions;
- (e) that the media election coverage may be improved through involving all concerned stakeholders and related institutions in order to ensure transparency and safeguarding the integrity of the electoral process;
- (f) that the use of electronic systems be considered as part of the reforms to enhance efficiency, transparency and confidence in the electoral process.

- (g) that the participation of local observers may be considered for future elections;
- (h) that the authorities create a conducive environment for the establishment of private television stations;
- (i) that to allow for adequate preparations of all stakeholders relevant authorities may consider making use of the maximum time provided for in the national laws

7. BEST DEMOCRATIC PRACTICES AND LESSONS LEARNT

In the course of observing the Mauritius elections, our Mission noted the following best democratic practices in the country's electoral system:

- (a) People's strong belief in the national electoral system gives them confidence in their democratic process;
- (b) Culture of peace and tolerance among the people;
- (c) Use of the proxy vote for those on duty, especially the police force and returning officers;
- (d) Use of translucent ballot boxes; and
- (e) Use of environmental friendly campaign material.

8. CONCLUSION

- 8.1 The Mission is honoured to share its observations of the 5 May 2010 National Assembly Elections in the Republic of Mauritius with all the stakeholders and the international community.
- 8.2 The Mission noted the professional and dedicated manner in which all the stakeholders conducted their assigned responsibilities throughout the electoral process.
- 8.3 The way the people of Mauritius have expressed their will is a valuable contribution to the consolidation of democracy and political stability in this Country. This will not only be beneficial to Mauritius, but to the SADC Region and the African Continent at large.
- 8.4 In line with SADC Principles and Guidelines Governing Democratic Elections and the Electoral Laws of Mauritius, 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.

8.5 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**, and all SADC Member States, wish to thank the assistance of the Mauritian authorities responsible for the electoral process, political parties, civil society organizations, the media and related institutions for the support and cooperation give to SEOM.

To thank other Electoral Observation Missions for their cooperation.

To thank the SADC observers for their commitment and dedication to the task of observing these elections.

To thank all the Mauritian support staff for their contribution in making our mission a success.

Further, I commend the Electoral authorities for having ably managed the electoral process, and

To congratulate the people of the Republic of Mauritius for holding credible, peaceful, orderly, free and fair elections.

I thank you.

Port Louis

Republic of Mauritius