



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

DRAFT PRELIMINARY STATEMENT

BY

**HONOURABLE MAITE NKOANA - MASHABANE,
MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION OF THE
REPUBLIC OF SOUTH AFRICA**

AND

**HEAD OF THE SADC ELECTORAL OBSERVATION MISSION TO THE
REPUBLIC OF NAMIBIA**

30 NOVEMBER 2014

WINDHOEK, NAMIBIA

- The Electoral Commission of Namibia (ECN);
- Your Excellency, Ambassador Fatuma Ndagiza, the Head of the African Union Observation Mission,
- Dr Themba Mhlongo, SADC Deputy Executive Secretary;
- Your Excellencies Ambassadors and High Commissioners accredited to the Republic of Namibia;
- Members of the Diplomatic Corps;
- Esteemed Leaders of Political Parties;
- Esteemed Members of Observer Missions;
- Members of the Media;
- Distinguished Guests; and
- Ladies and Gentlemen.

It gives me great pleasure to welcome you to our meeting this morning. We wish to share with you the preliminary findings of the Southern African Development Community (SADC) Electoral Observation Mission (SEOM) to the 2014 Presidential and National Assembly elections in the Republic of Namibia, held on 28 November 2014. We thank you for graciously accepting our invitation.

The SEOM is in Namibia at the invitation of the President of the Republic of Namibia, His Excellency Hifikepunye Pohamba. His Excellency Jacob Gedleyihlekisa Zuma, President of the Republic of South Africa, in his capacity as the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation constituted the SEOM to observe the Presidential and National Assembly Elections held on 28 November, 2014. He also mandated the Executive Secretary of SADC, Dr. Stergomena Lawrence Tax, to facilitate the deployment of the Mission.

Following the invitation, His Excellency Jacob Gedleyihlekisa Zuma appointed me, Minister of International Relations and Cooperation of the Republic of South Africa, to lead the SEOM to the Republic of Namibia.

I was assisted in this Mission by a member of the Troika of the SADC Organ on Politics, Defence and Security Cooperation, Ambassador Julius Metsing, representing the Kingdom of Lesotho, as the in-coming Chair of the Organ, while the Republic of Namibia, out-going Chair had to be recused.

As articulated at the launch of the Mission, the *SADC Principles and Guidelines Governing Democratic Elections* provide that Member States undertake an honest review and reflection of the election process. Election observation in the region is a peer review exercise in line with the SADC Guidelines and Principles.

The SADC Member States are committed to the holding of peaceful, transparent, free and fair and credible elections. Our objective as SADC is to ensure that elections do not become an end in themselves, but to enhance and deepen democracy in the region.

Article 4 of the SADC Principles and Guidelines Governing Democratic Elections outlines the following pre-conditions as a benchmark for peaceful, transparent, free and fair, and credible elections:

- (i) Constitutional and legal guarantees of freedom and rights of citizens;
- (ii) Conducive environment for free, fair and peaceful elections;
- (iii) Non-discrimination in voter registration;
- (iv) Existence of an updated and accessible voters' roll;
- (v) Timely announcement of the election date;
- (vi) Funding of political parties must be transparent and based on the agreed threshold in accordance with the laws of the land, where applicable;
- (vii) Neutral location of polling stations ;
- (viii) Counting of votes at polling stations; and
- (ix) Establishment of the mechanism for assisting the planning and deployment of electoral observation missions.

The SADC Electoral Advisory Council (SEAC) preceded the SEOM in a Pre-Deployment Assessment Mission to the Republic of Namibia. The Mission concluded that the environment in Namibia was conducive for the holding of elections. The SEAC subsequently provided support to the SEOM.

Excellencies, Ladies and Gentlemen,

Prior to the deployment of the observers, a two day training for the observers was undertaken. The SEOM comprised ninety-eight (98) observers drawn from SADC Member States. We deployed twenty-four (24) teams to all fourteen (14) Regions of the Republic of Namibia.

To assess the state of readiness for the elections, the SEOM consulted several stakeholders including the following:

- (i) The President of the Republic of Namibia;
- (ii) The Minister of Foreign Affairs;
- (iii) The Electoral Commission of Namibia (ECN);
- (iv) Representatives of contesting political parties;
- (v) The Namibian Police Force;
- (vi) Members of the Diplomatic Corps accredited to the Republic of Namibia;
- (vii) Other electoral observation missions, viz, AU, Commonwealth, SADC-Parliamentary Forum, SADC-Electoral Commissions Forum and Representatives of the European Union;
- (viii) Academia and political analysts; and
- (ix) Civil Society and Religious Community.

The following concerns were raised by some stakeholders during consultations:

- (a) Alleged use of public resources resulting in undue advantage in favour of the ruling party;
- (b) Use of Electronic Voting Machines (EVMs). Although the introduction of EVMs was agreeable to most political parties, it had become a contentious issue due to absence of a voter verifiable paper audit (paper trail);

- (c) The perception that passing of the Namibian Constitution Third Amendment Act and the new Electoral Act were hurried; and
- (d) Some isolated incidents of intimidation and violence.

With the view to establish the facts, the SEOM engaged the appropriate stakeholders and sought clarity to verify the concerns. The SEOM noted that most concerns were resolved professionally in an all-inclusive manner by the ECN, political parties and relevant stakeholders involved.

The 2014 Presidential and National Assembly elections in Namibia were held against the backdrop of the use of Electronic Voting Machines (EVMs). The period of our engagement in Namibia then presented an optimal opportunity for international observers to assess the use of the EVMs.

The SEOM further noted that the relevant legal provisions on the use of the EVMs were put in place, but the Electoral Act No. 5 of 2014, came into force with the exclusion of the Voter Verifiable Paper Audit Trail.

Excellencies, Ladies and Gentlemen

Through its observations, the SEOM confirms that:

- The pre-election phase was generally peaceful. There were a few isolated incidents of intimidation and violence; however, these were dealt with adequately by the Law Enforcement agents;
- The Electoral Commission of Namibia (ECN) created a conducive environment for the undertaking of these important elections. That was demonstrated by its readiness and state of preparedness;
- Campaigns were generally held peacefully, demonstrating a reasonable level of political tolerance;

- That political parties were generally free to campaign in all parts of the country without hindrance; and
- The Namibian Broadcasting Corporation (NBC) has adopted the Electoral Coverage Policy which ensured equal coverage of all contesting political parties.

On Election Day the SEOM observed the following:

Polling stations were expected to open at 07:00 hrs and close at 21:00 hrs as per the Electoral law. The SEOM observed that generally polling stations opened on time.

However the SEOM noted the following;

- (i) That some polling stations experienced delays in opening and which subsequently led to delays in the voting process; and
- (ii) The delays in a number of polling stations were generally due to polling officials' lack of clarity on the use of the EVMs, i.e. operator's error as well as the EVMs' failure to operate and consistent breakdown of the voter verification devices in some cases.
- (iii) All the relevant elections material such as Electronic Voting Machines (EVMs), voter registers, indelible and invisible ink, among other things, were present in most polling stations.

Excellencies, Ladies and Gentlemen,

- The SEOM observed that counting was done electronically by the EVMs at polling stations immediately after the closing of the poll. The SEOM further observed that upon conclusion of the counting process, the results print-outs were signed and posted outside the polling stations immediately.
- We also observed that during the counting process, most relevant stakeholders were present to witness the entire process.

Excellencies, Ladies and Gentlemen,

The SEOM observed some best democratic practices and lessons learnt during the elections, amongst others:

- Professional and transparent conduct of the ECN;
- Political tolerance demonstrated during the campaign period;
- Visibility and general professional conduct by the security personnel towards the electoral process;
- Use of indelible and invisible ink;
- Assistance of voters with special needs;
- Priority queues for the elderly, infirm, expectant mothers and people with disabilities;
- Establishment of the conflict resolution mechanisms such as the Electoral Tribunal and the Electoral Court; and
- Posting of results immediately after counting at polling stations;

The SEOM recommends that:

- ECN and other stakeholders should intensify civic and voter education; throughout the electoral cycle;
- Encourage local observers to play a greater role in the election process;
- Political parties in parliament are encouraged to amend the law providing for sworn statements as a minimum requirement to acquire voters' cards; and
- ECN to provide a special voting day for the security personnel (Police Officers and Soldiers) and essential workers.

Guided by the SADC Principles and Guidelines Governing Democratic Elections, the SEOM concludes that the 2014 Presidential and National Assembly Elections in the Republic of Namibia were peaceful, transparent, free and fair, and credible, reflecting the will of the people of the Republic of Namibia.

Excellencies, Ladies and Gentlemen,

We urge the people of the Republic of Namibia, and all leaders of political parties, to accept the outcome of the Presidential and National Assembly elections.

The SEOM congratulates and commends the people of the Republic of Namibia for the high voter turnout. This is proof that the people of the Republic of Namibia love their country and it is an excellent example which serves to deepen democracy in the Republic of Namibia and the SADC region.

Finally, on behalf of the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation, His Excellency, Jacob Gedleyihlekisa Zuma, President of the Republic of South Africa, the SEOM wishes the people of the Republic of Namibia well and congratulations again.

I THANK YOU.