

# **EISA Pre-Election Assessment Mission Report**



**NAMIBIA**  
**10-14 November 2014**

## LIST OF ABBREVIATIONS

<b>APP</b>	All People's Party
<b>APRM</b>	African Peer Review Mechanism
<b>CDV</b>	Christian Democratic Voice
<b>CERC</b>	Central Elections Results Centre
<b>COD</b>	Congress of Democrats
<b>COMESA</b>	Common Market for East and Southern Africa
<b>CSO</b>	Civil Society Organizations
<b>CVE</b>	Civic and voter education
<b>DTA</b>	Democratic Turhalle Alliance
<b>EAC</b>	East African Community
<b>ECCAS</b>	Economic Community of Central African States
<b>ECN</b>	Electoral Commission of Namibia
<b>EISA</b>	Electoral Institute for Sustainable Democracy in Africa
<b>EMB</b>	Electoral Management Body
<b>EOM</b>	Electoral Observation Mission
<b>EVM</b>	Electronic Voting Machines
<b>GRV</b>	General Registration of Voters
<b>MAG</b>	Democratic Party of Namibia
<b>MAG</b>	Monitor Action Group
<b>MP</b>	Members of Parliament
<b>NAMPOL</b>	Namibian Police Force
<b>NBC</b>	Namibian Broadcasting Corporation
<b>NDP</b>	National Democratic Party of Namibia
<b>NEFF</b>	Namibia Economic Freedom Fighters
<b>NUDO</b>	National Unity Democratic Organization
<b>PAM</b>	Pre-Election Assessment Mission
<b>RDP</b>	Rally for Democracy and Progress
<b>RP</b>	Republican Party of Namibia
<b>SWANU</b>	South West Africa National Union
<b>SWAPO</b>	South West Africa People's Organization
<b>UDF</b>	United Democratic Front of Namibia
<b>UN</b>	United Nations
<b>UNTAG</b>	United Nations Transition Assistance Group
<b>UPM</b>	United People's Movement
<b>VVPAT</b>	Voter-Verified Paper Audit Trail
<b>WRP</b>	Workers Revolutionary Party

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## EXECUTIVE SUMMARY

Through its Africa Democracy Strengthening Programme, the Electoral Institute for Sustainable Democracy in Africa (EISA) seeks to contribute to the improvement of electoral processes on the continent. In this regard, it deploys pre-election assessment missions before election day to enable it to assess whether the context in a country is conducive to the holding of democratic elections. The deployment of its PAMs also provide the necessary background information that will be useful to other international EOMs during the elections.

The EISA PAM to Namibia comprised two staff drawn from its Field Offices in Mozambique and Kenya, namely: Mr. Miguel de Brito, Mozambique Country Director, and Ms. Magdalena Kieti, Programme Officer in the Kenya country Office, and was in Mozambique from 10 to 14 November 2014. The Mission consulted key electoral stakeholders in Windhoek during the period of its stay. In its assessment of the pre-election context in Namibia, the EISA PAM noted that the elections will take place in a context of presidential transition, as the current Head of State, H.E. Hifikepunye Pohamba, has reached his constitutional 2-term limit. It also notes that these elections will take place under a revised legal framework, including the expansion of Parliament, greater independence of the ECN, introduction of electronic identification of voters and electronic voting.

## 1. HISTORICAL BACKGROUND AND CONTEXT OF THE 2014 GENERAL ELECTIONS

Namibia got its independence from South Africa on 21 March 1990. Colonised by Germany between 1884 and 1915 the League of Nations in 1920, after Germany's defeat in World War I, gave South Africa the mandate to rule Namibia, then referred to as South West Africa.

During South African occupation, Namibia was run in line with South Africa's rules and apartheid policies, and the White population of Namibia was represented

in the South African Parliament. In 1946 the UN instituted a trusteeship system whereby Namibia would come under its control. South Africa refused to accept this.

The Ovamboland People's Organisation (changed a year later to SWAPO ) was formed in 1959 to fight for Namibia's independence. Following the introduction of the bantustan system in Namibia in 1964, the UN revoked South Africa's mandate over Namibia in 1966 after international pressure.

In the same year, SWAPO initiated armed struggle against South African occupation. In 1968 Namibia was formally accepted as the country's name by the UN, and five years later the UN General Assembly recognised SWAPO as the representative of Namibian people.

The liberation struggle received a boost after Angola, Namibia's northern neighbour, became independent in 1975, and started providing aid to SWAPO with Cuban support. The war between South Africa and Angola escalated, and South African forces started operating openly inside Angola.

South Africa's refusal to leave Namibia was supported by the United States, which wanted Cuba to leave Angola first. In 1977, Western powers created the Western Contact Group to facilitate talks with South Africa and SWAPO. At the same time inside Namibia, South Africa sought an internal solution excluding SWAPO and initiated the Turhalle Constitutional Conference that led to the formation of the Democratic Turhalle Alliance (DTA) in 1977.

In the same year, South Africa was appointed by the UN Administrator-General to run Namibia in preparation for independence, while the UN passed Resolution 435 in 1978 paving the way towards independence. The resolution demanded withdrawal of South Africa from Namibia and the transfer of power under UN facilitation, and established the United Nations Transition Assistance Group (UNTAG).

South Africa conducted internal constituent elections in 1978 that were won by the DTA, but were discredited and boycotted by SWAPO and other parties. Four years later, SWAPO and the Western Contact Group agreed on constitutional principles for the future independent Namibia. The following year, South Africa conducted a multiparty conference that again excluded SWAPO, and in 1985 a transitional government of national unity was formed, and it lasted until 1989 when UN facilitated elections were held.

In 1990 a new Constitution was adopted, and independence proclaimed, although South Africa kept control over Walvis Bay, Namibia's only deep-water seaport, until 1994.

SWAPO's leader, Sam Nujoma, was elected first president of post-colonial Namibia and went on to rule for 3 terms (15 years). SWAPO adopted a policy of national reconciliation to overcome political, racial and ethnic tensions of the colonial/apartheid past.

Since its independence in 1990, Namibia has held 4 national assembly elections in 1994, 1999, 2004, and in 2009. SWAPO has dominated elections since 1989 with support ranging from 60% in 1989 to 74.28% in 2009.

**Table 1:**

**Results of legislative elections from 1989 to 2009**

Party	1989	1994	1999	2004	2009
SWAPO	41	53	55	55	54
DTA	21	15	7	4	2
NUDO	-	-	-	3	2
SWANU					1
RDP	-	-	-	-	8
RP				1	1
APP	-	-	-	-	1
UDF	4	2	2	3	2
COD	-	-	7	5	1

SWAPO has suffered break away groups such as the CoD in 1999 and RDP in 2007, but managed to maintain its electoral supremacy. The support of the opposition

parties has, on the other hand, eroded with every election since 1994, and some of them also suffered splits (DTA, CoD) mainly due to leadership battles.

Ahead of the 2014 elections, Namibia adopted Electronic Identification of voters and voting and became the first country in Africa to use this entirely electronic system. The use of Electronic Voting Machines (EVMs) has been criticised by some parties for its lack of a voter-verifiable paper trail, which means that there is no possibility of an audit or a recount in the event of a dispute.

The 2014 amendment to the Electoral Act also introduced an Electoral Court into the system of adjudicating electoral disputes. Some Constitutional amendments were also introduced in 2014, and have been criticised by some voices in the opposition and civil society for a lack of adequate public consultation. Some of those amendments include the enlargement of the National Assembly from 72 to 96 seats, the increase of presidential appointments in the National Assembly from six to eight, the introduction of the post of vice-president, and the entrenchment of regional governors as appointed rather than elected figures.

## 2. ELECTORAL FRAMEWORK

### 2.1. The constitutional and legal framework

The 2014 Presidential and Parliamentary elections are governed by the 1990 Constitution, as amended as well as the Electoral Act of 2014 (Act No.5, 2014). The 1990 Constitution creates the basis for the country's multiparty democracy. In its Preamble, the Constitution establishes Namibia as a 'sovereign, secular, democratic and unitary State'. Article 17 reflects fundamental human rights and freedoms. Specifically, Article 17 (1) provides that all citizens have the right to participate in peaceful political activity intended to influence the composition of policies of the government. All citizens also bear the right to form and join political parties subject to such qualifications prescribed by law and to participate in the conduct of public affairs through freely chosen representation. Article 17 (2) provides for the right to vote. There are provisions for early voting which applies to sea-going personnel as well as those

in the diaspora. Elections for these two categories of Namibian citizens were held on 14th November 2014.

The Electoral Act came into force in October 2014 after a repeal of the 1992 Act. Despite its coming into force, some sections of the new Act may not be implemented during the 2014 elections. This is in regards to Section 97 (3 and 4) on the EMVs which requires a voter-verified paper trail for electronic voting. The law gives powers to the Minister of Local and Regional Government to postpone implementation of these clauses in the new law by invoking section 209, since the electronic voting machines (EVMs) acquired by the ECN do not have the option of printing a voter-verified paper trail. Section 209 makes transitional provision for certain aspects of the new law to come into force on a date different to the commencement date. Accordingly, a notice gazetted on the 17th October, 2014, gave notice that the Electoral Act came into operation on the 17th October, except for sections 97(3) and 97 (4).

Some of the significant changes introduced in the new Constitution include:

- a. Creation of the vice president post
- b. Increasing the size of the National Assembly from 72 elected seats to 96
- c. Increasing the National Council seats to 42
- d. Introduction of one day of voting
- e. Introduction of a runoff election

The PAM notes that the Electoral Act came in to force only on 17th October, a period of less than five weeks ahead of the elections, which may make implementation problematic for stakeholders especially the Electoral Commission of Namibia (ECN). Some stakeholders however were of the opinion that since many of the clauses dealing with the conduct of elections remain similar to the old law, implementation in the short time before the elections will not pose a major challenge, especially to the ECN.

In regards to amendments to the Constitution, stakeholders consulted reported that there were no public consultations on the amendments. They noted that they had been called upon to validate the document as opposed to contributing meaningfully to the process.

## **2.2. The electoral system**

The Head of State is elected by direct popular suffrage through a simple majority system, which requires a run-off between the most voted candidates should no candidate obtain more than 50% of the votes in the first round.

The 96 Members of Parliament are elected through the proportional representation system, based on closed party lists in a single national constituency. This means that each competing party submits a single list of parliamentary candidates, voters vote on the list, not on individuals, and parties are allocated seats in parliament in proportion to the percentage of votes obtained nationally. There is no legally-established threshold that parties must overcome in order to elect MPs. Parliamentary seats are allocated to candidates from each qualifying party in the order those candidates appear on the party's list.

The Head of State has the prerogative of appointing eight additional, non-voting Members of Parliament.

### **Electoral justice**

The Electoral Act established electoral tribunals to adjudicate on matters arising before election day, such as the inclusion or non-inclusion of names on the provisional voters register, the behaviour of registered political parties, the conduct of EMB officials, and any electoral irregularities. Electoral tribunals must decide on matters presented to them no later than five days from the date of conclusion of the hearing. Electoral tribunal hearings must conclude all pre-election matters before election day. In cases requiring urgent relief, tribunals must give a decision no later than 48 hours after the conclusion of the hearing. Any appeal to the Electoral Court must also be concluded before election day.

The Electoral Act also sets up the Electoral Court to hear and determine appeals against decisions of electoral tribunals, to review decisions of electoral tribunals, and to decide on any matter concerning any contravention of the Electoral Act. The Court can also hear and determine appeals against decisions of the ECN, as well as review

ECN decisions relating to any electoral matters. It can also decide on any matter referred to it by the ECN regarding the interpretation of electoral law.

The Electoral Court must conclusively determine all post-election matters seven days before the swearing in of the office-bearer concerned. In urgent cases, the Court must give a decision no later than 72 hours from the conclusion of the hearing.

In the election of the President, any challenge relating to the outcome of the election is directed to and adjudicated by the Supreme Court of Namibia. The Supreme Court must give a decision no later than 14 days after the conclusion of the hearing.

### **2.3. Party and campaign finance**

The Electoral Act, under Article 154 (2) provides for funding of political parties by the National Assembly, with monies appropriated by Parliament for that purpose. The distribution of the funds, according to Article 49 of the Constitution, should be based on the principle of proportional representation. In this regard, the more positions a party occupies the more money it receives. Utilisation of these funds should be according to prescribed procedures, failure to which a political party is liable to repay monies that were irregularly spent.

Political parties as well as members of a political party may also receive monies from foreign persons or institutions, whether locally based or located outside Namibia. There is no specific law in Namibia that deals with campaign funds for parties. However, the Electoral Law, Article 141, allows for funds received from foreign donations to be used to for party and candidate campaigns provided that the donations are disclosed in the prescribed manner and that the total donation amount may not exceed a prescribed amount in a financial year.

The Act thus states that any registered political party or registered organisation; member of a registered party or registered organisation; or other person, may receive any money or anything which can be cashed

or converted into money, from any foreign person or foreign institution which is within or outside Namibia or represented locally in Namibia, which is intended to be used to further the interest of any political party or organisation or the candidature of himself or herself or any other person who has been nominated or may be nominated as a candidate for any election under this Act; or to canvass or combat any aim or principle of a political party or organisation, but any such donation is disclosed in the prescribed manner and the total donation amount that the registered political party, registered organisation, member or person can receive may not exceed a prescribed amount in a financial year.

### **2.4. Election management**

An Act of Parliament, the Electoral Act no. 24 of 1992, established the Electoral Commission of Namibia (ECN) as the sole and exclusive authority mandated to administer all electoral processes and activities in the country. The Act was amended in 1998 to secure greater independence of the ECN from the Executive, and the appointment of the ECN stopped being the simple prerogative of the President. Currently, the President appoints the members of the ECN, a Chairperson and four Commissioners, with the approval of the National Assembly upon nomination by the President.

The President nominates the members of the ECN from a shortlist compiled by a Selection Committee, which consists of the Chairperson of the Public Service Commission, who is the Chairperson of the Selection Committee, the Chairperson of the Council of the Law Society of Namibia, who is the Deputy Chairperson of the Selection Committee, the Chairman of the Public Accountants' and Auditors' Board, the Registrar of the High Court of Namibia, and the Director of the Namibia Qualifications Authority.

The Director of Elections, who is the Chief Executive Officer of ECN and its Permanent Secretary, is now firmly subordinated to the ECN.

At least two members of the Commission must be women.



Commissioners are appointed for five years, but may be reappointed for further five-year terms, and may lose their positions for incapacity or may be removed by the President for misconduct, with the approval of a resolution of the National Assembly.

The ECN has the following functions:

- To direct, control and supervise elections fairly and impartially
- To register voters
- To compile and publish voters rolls
- To register political parties
- To supervise, direct, control and promote voter education on elections, including the accreditation of voter educators other than political parties.

The ECN is not tasked with hearing electoral complaints or disputes, such functions being reserved for the Judiciary.

The ECN reports to Parliament, and through Parliament to the President, annually.

### 3. KEY FINDINGS ON THE PRE-ELECTION PHASE

#### 3.1. Voter registration

Voter registration is the process whereby any Namibian citizen who qualifies to vote is registered to have his/her name included in the voters' register and issued with a voter's card. Registration of voters in Namibia is voluntary.

There are three types of voters' registration in Namibia conducted by the ECN:

- General Registration of Voters – once every 10 years
- Supplementary Registration of Voters – in an election year
- Continuous Registration of Voters – for any qualified person, who is not yet registered, at any time outside the general registration or supplementary registration periods, except during the period of suspension contemplated in the Electoral Act.

Qualified citizens can register in their respective local authority and constituency and they must be a Namibian

citizen, be 18 years old or above and must present proof of identity, age and Namibian citizenship, by producing one of the following documents:

- Valid green passport or New Namibian ID, or Old Namibian ID, or one of the following combinations:
  - o Citizenship Certificate and Old Namibian ID (if born outside Namibia)
  - o Namibian Birth Certificate and New Namibian Driver's Licence
  - o Namibian Birth Certificate and two registered deponents
- Proof of Residency

After the registration of voters, the voters' register is displayed for public inspection at the offices of the Electoral Commission or any other places such as Magistrate offices after being advertised in the Government Gazette. Any person desiring to inspect the voters' register will be entitled to do so during normal office hours.

Namibia has introduced biometric registration whereby registered voters are issued with a biometric card. Through the biometric system, all fingerprints, as well as digital images and signatures of all voters, were captured, thus allowing for the detection of duplicates through AFIS matching, and also data aggregation and disaggregation to the lowest detail. It has also allowed for system interface with other institutions, such as the Ministry of Home Affairs, for removal of deceased persons, and the introduction of voter authentication technology for Election Day.

From 15 January to 2 March 2014, the 3rd General Registration of Voters (GRV) took place, using biometric Voter Registration Kits, deployed by over 700 teams. The GVR was followed by the objection period from 3 to 30 April 2014, during which voters had the opportunity to scrutinise the provisional voters' register and submit objections to the magistrate courts.

The initial number of voters on the provisional voters' register was 1,162,366. After review, 4,484 corrections were made to names, gender and ID numbers, 1,743 duplicates and 178 deceased persons were removed, and 938 names were added. A further 2,292 names were



removed later. The final number of eligible voters of the General Registration of Voters was 1,159,091.

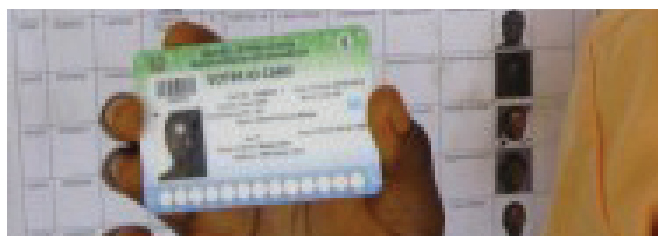
From 8 to 20 September, a Supplementary Registration of Voters registered a total of 118,487 eligible persons in country, and 343 in the diaspora through 29 Namibian Diplomatic Missions in 25 countries. A final review process led to the removal of 36,384 names. The total number of eligible voters for the 28 November 2014 Presidential and National Assembly Elections is 1,241,192 (around 94% of all eligible voting-age Namibians registered as voters), of which 657,751 (53%) are women, and 583,443 (47%) are men. Under-32 voters represent 45.5%, and 21.5% are born-frees (voters born after independence in 1990).

Copies of the voters' register were made available to political parties on memory sticks in pdf format.

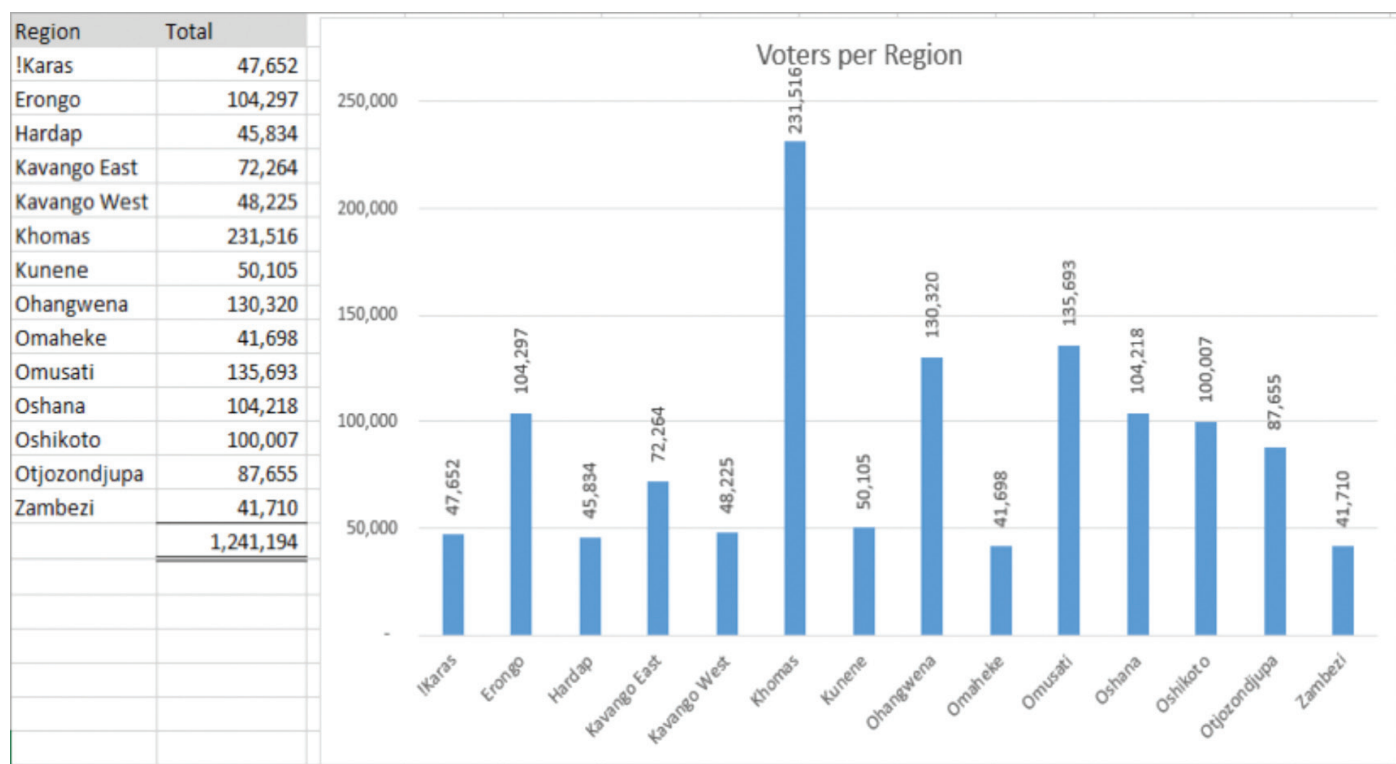
**Pic. 2: The Biometric Voter Registration Kit**

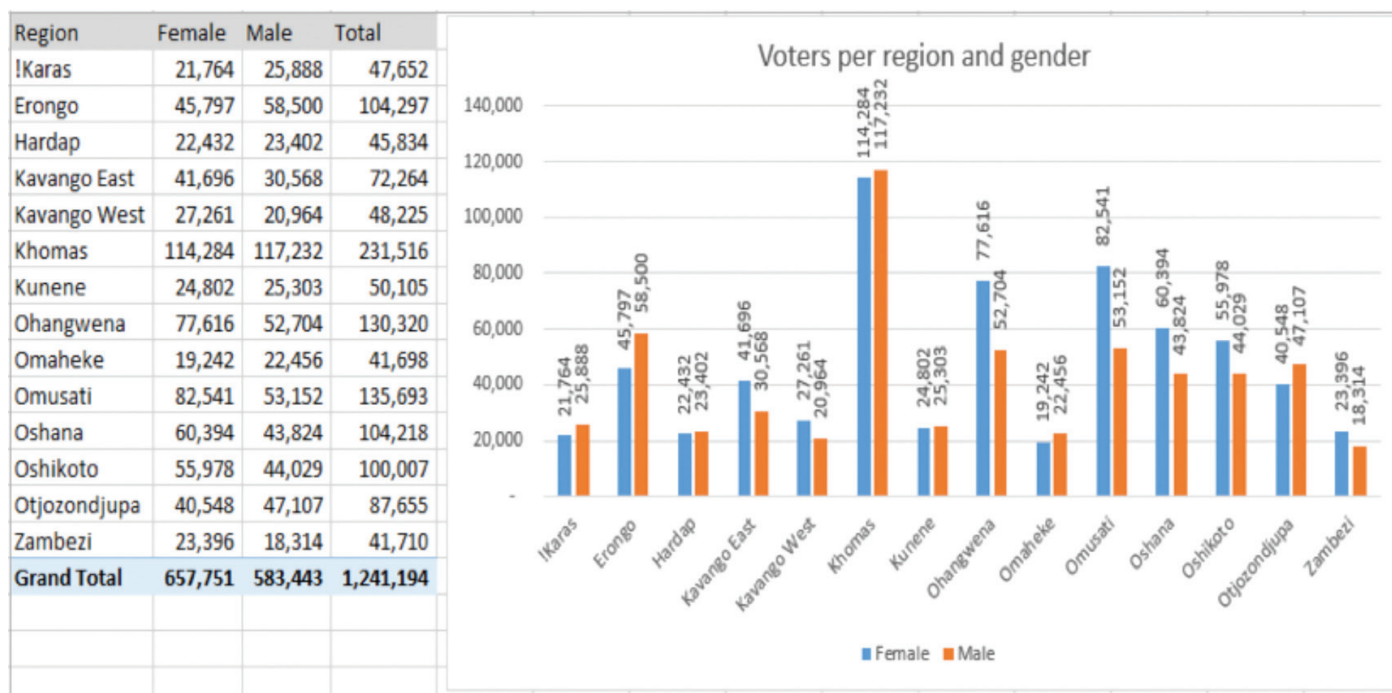
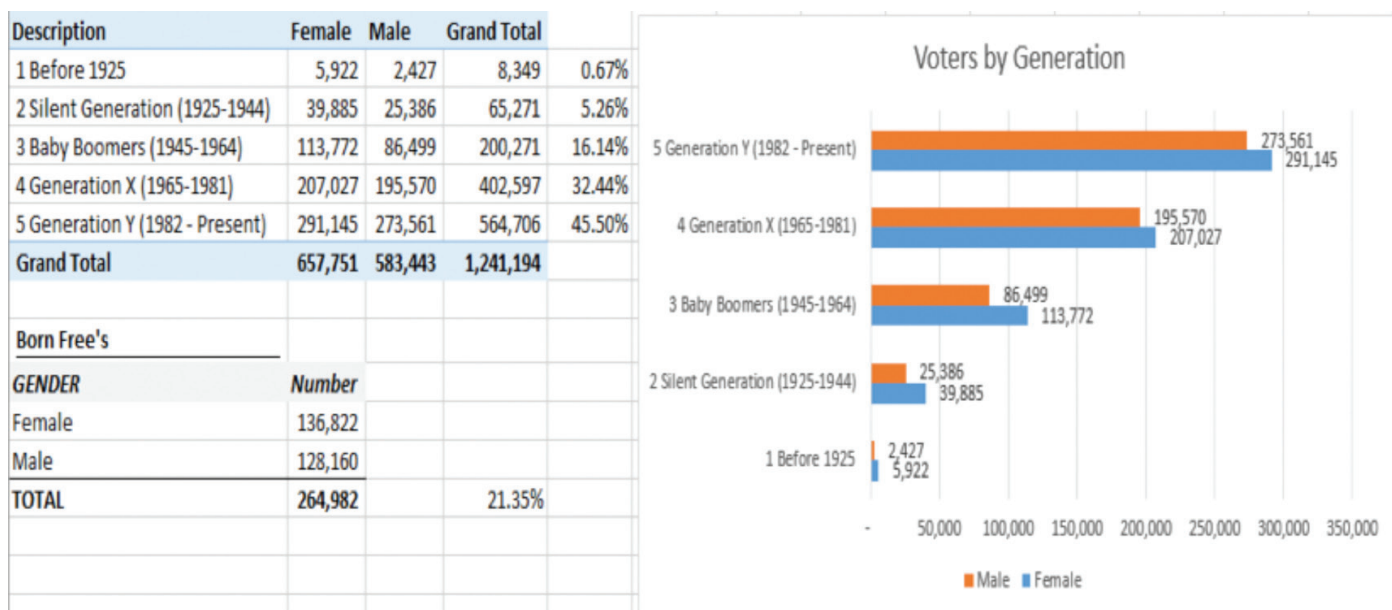


**Pic. 3: The Biometric Voter's Card**



**Table 2: Voter Registration statistics – global per region**



**Table 3: Voter Registration statistics – by gender per region****Table 4: Voter Registration statistics - by gender and age group**

### Electronic Voting

The Namibian Electoral Act allows the use of electronic voting in the country, and the ECN decided to introduce such system in 2014, initially in four local elections in August 2014. For the national elections, all polling stations within Namibian territory will have Electronic Voting Machines (EVMs).

EVMs provide a number of advantages:

- It speeds up and ensures accuracy of the voting and counting process
- It may increase turnout
- It may reduce fraud
- It eliminates invalid votes, both null and blank votes
- It reduces the use of paper

The EVMs selected by the ECN are manufactured in India<sup>1</sup>, and each comprises two components: a Control Unit and a Ballot Unit. The Control Unit is the memory of the machine and only a Polling Officer can operate it. The Ballot Unit is linked to the Control Unit by a cable and placed within the voting booth. The voter makes his/her choice and votes by pressing a button on the Ballot Unit. Each Ballot Unit can take up to 15 candidates / parties. If an election has more than 15 candidates / parties, additional Units can be added in tandem with the first one. In the case of Namibia, there will be one Ballot Unit in one booth for the presidential election (nine candidates), and two Ballot Units in tandem in another booth for the legislative election (16 parties).

**Pic. 4: Electronic Voting Machine: Control Unit on the left and Ballot Unit on the right**

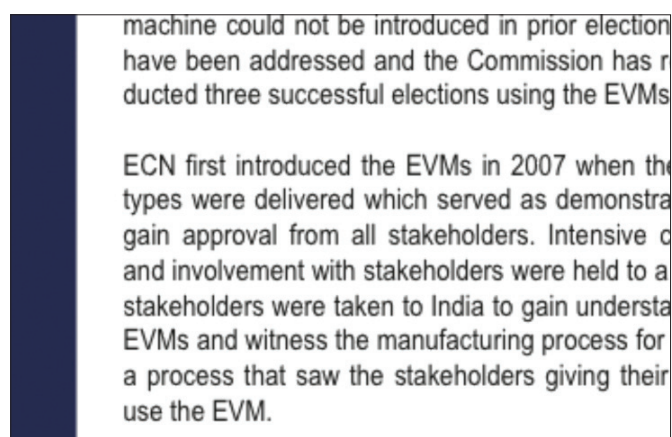


Each Control Unit is linked to a printer that at the end of the voting process produces a results printout.

The EVMs are stand-alone machines and are not connected to any computer network.

The Namibian Electoral Act states that the use of voting machines is subject to the simultaneous utilisation of a verifiable paper trail for every vote cast by a voter, and any vote cast is verified by a count of the paper trail. The Voter-Verified Paper Audit Trail (VVPAT) is intended as a verification system designed to allow voters to verify that their vote was cast correctly, to detect possible election fraud, and to provide a means to audit the stored electronic results.

**Pic. 5: Explanation of VVPAT**



**Pic. 6: EVM with VVPAT printer**



However, VVPAT technology is very recent, and many of the EVMs for the Namibian elections had already been purchased when the technology was made available in India. Therefore, the ECN made use of a transitional provision in the Electoral Act that states that different dates may be determined in respect of the coming into operation of different provisions of the Act to defer the use of VVPAT to future elections.

### 3.2. Political party and candidate registration

According to the Namibian Electoral Act, the principal object of a political party should be to participate in, and promote elections, including the nomination of persons as candidates for elections, in accordance with the provisions of the Act. To compete in elections, political parties must be registered with the ECN.

<sup>1</sup> The EVMs are manufactured the Indian company Bharat Electronics.

Lists of candidates submitted by political parties to the ECN for the parliamentary elections must contain a minimum of 32 names and maximum of 96 names.

Presidential candidates can have their names submitted by registered political parties, or run as independents. If submitted by political parties, proof of party registration and a deposit of N\$20,000 are required. Independent candidates must be supported by a list of at least 500 registered voters per region, and pay a deposit of N\$10,000.

Submission of candidatures to the ECN for both elections took place between 13 and 29 October. No presidential candidate or party list was rejected. However, in some party lists, double appearances were eliminated, and political parties given the opportunity to replace those names. Party lists must have a minimum of 32 candidates and a maximum of 96. There are nine presidential candidates and 16 parties competing for parliamentary seats.

Below is a list of the nine presidential candidates:

2. All People's Party: Mr. Ignatius Shixwameni
3. Congress of Democrats: Mr. Ben Ulenga
4. DTA of Namibia: Mr. McHenry Venaani
5. Namibia Economic Freedom Fighters: Mr. Epafra Jan Mukwilongo
6. Rally for Democracy and Progress: Mr. Hidipo Hamutenya
7. Republican Party of Namibia: Mr. Henry Ferdinand Mudge
8. National Unity Democratic Organization: Mr. Asser Mbai
9. SWANU of Namibia: Mr. Usutuaije Maamberua
10. SWAPO Party of Namibia: Mr. Hage Geingob

The following are the sixteen political parties competing in the NA elections:

1. All People's Party
2. Christian Democratic Voice Party
3. Congress of Democrats
4. Democratic Party of Namibia
5. DTA of Namibia
6. Monitor Action Group

7. Namibia Economic Freedom Fighters
8. National Democratic Party of Namibia
9. National Unity Democratic Organization
10. Rally for Democracy and Progress
11. Republican Party of Namibia
12. SWANU of Namibia
13. SWAPO Party of Namibia
14. United Democratic Front of Namibia
15. United People's Movement
16. Workers Revolutionary Party

Both presidential and parliamentary candidates are placed on the ballot by alphabetical order.

### **The Media**

There are no specific media laws in Namibia but media conduct is guided by the Constitution which provides for media freedom and freedom of expression. In regards to equality in party airtime provision, there is a policy on equal time allocation by the national public broadcaster, the Namibian Broadcasting Corporation (NBC) for all political parties. The number of broadcasts received by each party depends on the number of parties registered for the elections combined with the number of broadcasting slots the NBC makes available. In this regard, each party has been allocated five (5) minutes per week whereby they record their information for five minutes which is aired two days later for five minutes. In addition to this free airtime, parties are free to purchase additional airtime from the NBC for further broadcasts. The PAM team noted that the equal time allocation by the NBC had been adhered to. Appreciating the new policy on equal airtime on television and radio, the EISA PAM would also like to note that the airtime allocated to the political parties is not adequate.

### **Civic and voter education**

Civic and voter education (CVE) is primarily the responsibility of the ECN and of political parties. Other persons or organisations, such as civil society organisations, may apply to be accredited as CVE providers and must follow a strict Code of Conduct. Failure to do so will result in the accreditation being revoked.



Consulted stakeholders reported that the various mandated institutions as well as CSOs were conducting CVE. They however expressed their concerns about the adequacy of information on the EVM. They noted that although the trainings for the use of the EVMs had begun at the beginning of the year, the time was not sufficient to competently train all voters on their use. This would therefore compromise the capacity of the electorate to exercise their voting right.

### 3.3. Civil society

There is a role for Namibian civil society organisations in the electoral processes, both as providers of CVE and as citizen observers. The PAM team noted the active participation of the civil society in Namibia in the electoral process.

Consulted CSOs reported that they had been, alongside the ECN, engaged in conducting CVE ahead of the elections. The EISA PAM noted that the electoral and political processes in Namibia are open to participation of civil society and the context also allows CSOs to operate freely.

### 3.4. Gender and minority rights

The new Electoral Act (Act 5 of 2014) in Namibia does not provide for gender representation or equality. In the absence of these deliberate provisions aimed at ensuring gender equality at the various positions under contestation, political parties are at liberty to decide for themselves on whether to include women in their lists or not. Acting on this liberty, the PAM team noted with appreciation that the Congress of Democrats (CoD) is the only party that used the 'zebra system' on its list.

In regards to the current gender representation, the EISA PAM observed that the current parliament has a total of 23 out of 72 (32%) female MPs. The PAM further noted that none of the nine parties fielding a Presidential candidate in the 2014 election have a female candidate for the position.

In total, all political parties have nominated 624 male and 464 female candidates as illustrated below:

**Table 5: Gender representation on party lists for 2014 and comparison with 2009**

Party	2014		2009	
	% Women candidates	% Women in Top 10 of party list	% Women candidates	% Women in Top 10 of party list
All People's Party (APP)	45	42	40	20
Christian Democratic Voice (CDV)	53	50	-	-
Congress of Democrats (CoD)	53	50	50	50
Democratic Party of Namibia (DPN)	39	50	38	50
DTA of Namibia	45	40	42	40
Monitor Action Group (MAG)	40	40	32	0
Namibia Economic Freedom Fighters (NEFF)	32	20	-	-
National Democratic Party of Namibia (NDP)	48	50	50	50
National Unity Democratic Organisation (Nudo)	30	30	32	30
Rally for Democracy and Progress (RDP)	39	20	32	20
Republican Party of Namibia (RP)	46	60	50	40
Swanu of Namibia	43	50	42	30
Swapo Party of Namibia	50	50	33	20
United Democratic Front of Namibia (UDF)	36	30	51	40
United People's Movement (UPM)	48	40	-	-
Workers Revolutionary Party (WRP)	31	20	65	60

From the foregoing, it is likely that although the National Assembly will not be able to achieve 50% female representation after the 2014 elections, the numbers are also not likely to decrease compared to the previous elections.

EVM machines are designed to allow voters with visual disability to cast their votes using braille language. Also the Electoral Act contains provisions to allow voters with disabilities to be assisted in the voting process by a person of their choice.

### **3.5. Security**

In regards to deployment of security personnel for the elections, the security personnel confirmed that police officers had been attached to the ECN to provide support to the elections. They further reported that they would deploy two police officers at each polling station, including the mobile stations. In regards to being armed, it was reported that the security personnel would be armed with pistols only.

No security concerns were mentioned to the PAM team by any of the stakeholders. Indeed, most stakeholders consulted noted the general peaceful political atmosphere in Namibia ahead of the elections. No major incidents of violence were reported and none are anticipated.

### **3.6. Electoral Campaign**

There is no starting date for the electoral campaign established by law. Practice dictates that parties and candidates begin campaigning as soon as the election date is announced. However, active campaigning should end by midnight before the polls open. No campaign materials, including party regalia, are allowed within 500 metres of polling stations on Election Day.

In Namibia, there is no legal requirement for public broadcasters to provide parties and candidates with free airtime for campaign advertising. Traditionally, the Namibia Broadcasting Corporation (NBC) has provided free airtime based on the strength of a party's representation in Parliament. This year the NBC has agreed to provide equal airtime to all, after a lobbying campaign by opposition parties.

As at the time of the PAM's visit, electoral campaigns had already begun. No stakeholder reported to the PAM team any issues or complaints regarding the campaigns.

### **Election observation**

Both citizen groups and individuals and international groups may be invited by the ECN, or may apply to it to observe elections in Namibia. All accredited observers must subscribe to the Observer Code of Conduct included in the Namibia Electoral Act.

### **Early Voting**

According to the Namibian Electoral Act, certain categories of voters are entitled to early voting 14 days before Election Day, namely diaspora voters and sea-going voters. Diaspora voters vote at 29 Namibian Diplomatic Missions in 25 countries, and sea-going voters vote in two coastal towns, namely Walvis Bay and Lüderitz.

The ECN also has the prerogative to include security personnel (the military and the police) in the early voting category, but chose not to do so in 2014 for logistical reasons.

### **Election Day Statistics**

There will be 3,966 polling stations on Election Day, of which 1,255 will be fixed and 2,711 mobile. The mobile polling stations will operate on the basis of a schedule of visits by a total of 825 mobile teams. In total, there will be 12,480 polling officers – six per team.

The ECN will deploy a total of 2,080 EVMs for the Presidential elections and the same number for the National Assembly elections. The polling teams will be supported by 121 IT field support staff members (one in every constituency) and 31 engineers from the EVM manufacturer.

### **Election Day Procedures**

In fixed polling stations voting starts at 7am and ends at 9pm. In mobile polling stations voting takes place according to a schedule published by the ECN, but always within the 7am-9pm period.

Before the opening of the polls, the Presiding Officer conducts a verification and trust-building exercise, called pre-testing or mock voting, that serves the dual purpose of certifying that there are no votes recorded in the EVM (the equivalent to showing an empty ballot box), and that the EVM records votes as determined by the voters. The pre-test consists of switching on the EVM, asking the party agents present to vote for their parties, and then printing the result. After the pre-test the EVM memory is cleaned and returned to zero votes.

Once the polling stations are open, voters start voting according to the following procedure: the voter's fingers are screened for ink using an ultraviolet light machine, the voter presents his/her card to be identified by a card verifier machine that contains the complete voters' register, and has his/her finger inked.

**Pic. 7: Card Verifier machine**



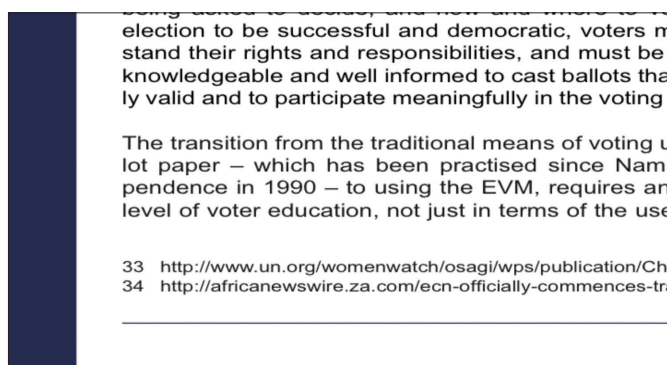
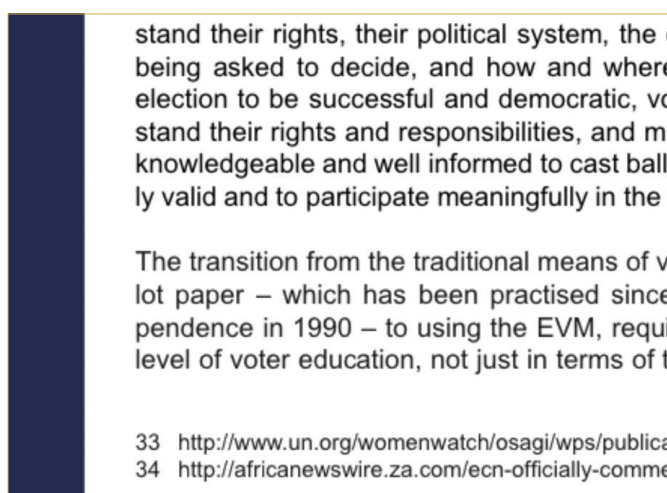
**Pic. 8: Card Verifier machine**



A Polling Officer then “issues a ballot” for the presidential election by pressing a button on the Control Unit that unlocks the presidential Ballot Unit. The voter goes to the voting booth where the presidential Ballot Unit is located and votes by selecting the candidate of his/her choice, and pressing the red button to confirm his/her selection. Once the red button is pressed, the Ballot Unit emits two long beep sounds, indicating that the voting process is complete.

The Polling Officer then “issues a ballot” for the legislative election by pressing a button on the Control Unit that unlocks the legislative Ballot Units. The voter goes to the voting booth where the legislative Ballot Units are located and votes by selecting the party of his/her choice, and pressing the red button on the second Unit. Once the red button is pressed, the Ballot Unit emits two long beep sounds, indicating that the voting process is complete. The voter then exits the polling station.



**Pic. 9: Voting procedures****Pic. 8: Comparison between the use of paper ballots and EVMs for voting**

Assistance will be provided to illiterate voters, or voters with disabilities.

Once the voting process ends at 9pm, the Presiding Officer must seal the Control Unit, display the results, fill in Form 5 with all the results, and print the results printout for each election. All present may verify the printouts. The Presiding Officer announces the results for that polling station, and a copy of the results is posted outside the polling station. In case of a mobile team, the results are posted outside the location where the counting took place.

No copies of the results sheets are provided to party agents.

### **Tabulation and Announcement of Results**

All presiding officers in a constituency report their results and deliver their EVMs to their respective Returning Officers at Constituency Centres. Returning

Officers collate polling station results by connecting the control units of the voting machine received from the presiding officers to a tabulator, and then announce constituency results both for President and National Assembly. Copies of the constituency results are given to party agents.

Returning Officers then transmit constituency results to the Central Elections Results Centre (CERC), where they are collated to obtain the final national results, which are then verified, audited, officially announced and published.

The CERC is also used to:

- Issue regular reports to the public through the media
- Hold press conferences, release factual information, identify problems encountered and the decisions taken to resolve those problems
- Coordinate responses on flashpoints and hotspots countrywide utilizing Electoral Risk Management Tool in collaboration with NAMPOL
- Issue regular reports to the Commissioners and the Party Liaison Committee on progress made, difficulties encountered and areas requiring additional support and action.

### **3.7. Preparedness of the ECN**

The ECN has confirmed that all materials required for the 28 November elections have been purchased and are in country. All polling personnel have also been hired and trained.

In the last 3 months five elections using Electronic Voting Machines have been successfully conducted. In all these elections, no objections, contestations, complaints or disputes were registered on the use of the EVM's. The use of EVMs in those elections provided testing opportunities for this new technology. The use of the EVMs has improved the polling process especially with the final counting, tabulation and announcement of election results.

A comprehensive First-Level-Check was successfully executed on all the EVMs by the manufacturer's

engineers in the presence of political parties to ensure that all components were functioning properly.

For the ECN to successfully carry out the upcoming elections, about 2800 vehicles are needed. The ECN has tried to source as many vehicles from Government as possible, but is facing difficulties in reaching that number, which means that it may not have all the required vehicles on Election Day.

**Picture 1: Political map of Namibia**

## ABOUT EISA

### INSTITUTIONAL BACKGROUND

EISA has since its inception in July 1996 established itself as a leading institution and influential player dealing with elections and democracy related issues in the African continent. It envisions an African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment. The Institute's vision is executed by striving for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.

Having supported and/or observed over 70 electoral processes in Africa, EISA has extensive experience in formulating, structuring and implementing democratic and electoral initiatives. It has built an internationally recognised centre for policy, research and information and provides this service to electoral management bodies, political parties and civil society organisations in a variety of areas, such as voter and civic education and electoral assistance and observation. Besides its expanded geographical scope, the Institute has, for the past several years, been increasingly working in new in-between election areas along the electoral and parliamentary cycle, including constitution and law making processes, legislative strengthening, conflict management and transformation, political party development, the African Peer Review Mechanism (APRM) and local governance and decentralisation.

EISA provides assistance to inter-governmental institutions, like the African Union, and the Pan-African Parliament, to reinforce their capacity in the elections and democracy field. The Institute has just signed an MOU with the Economic Community of Central African States (ECCAS); the East African Community (EAC); and the Common Market for East and Southern Africa (COMESA). Within the framework of these recently signed memoranda, the Institute will also provide similar assistance respectively these intergovernmental institutions. Its MoU with the African Union was also renewed in 2014.

With its headquarters in Johannesburg (South Africa), EISA has had field offices across the African continent and currently has offices in Central African Republic, Democratic Republic of Congo, Kenya, Madagascar, Mali, Mozambique and Somalia, and a regional liaison office at the secretariat of the ECCAS in Libreville, Gabon.

### Election observation activities

EISA has deployed continental witness missions for the past ten years including missions to Angola (2008), Botswana (1999, 2004, 2009), Central African Republic (2010, 2011), Democratic Republic of Congo (2005 referendum, 2006 elections), Egypt (2011, 2012, 2014), Ghana (2008, 2012), Guinea Conakry (2010), Lesotho (1998, 2002, 2007, 2012, 2015), Liberia (2011), Madagascar (2005, 2007, 2013), Malawi (1999, 2004, 2009), Mauritius (2000, 2005, 2010, 2014), Mozambique (1999, 2004, 2009, 2013, 2014), Namibia (1999, 2004, 2009), Senegal (2012), Seychelles (2011), South Africa (1999, 2004, 2009, 2014), Tanzania (2005, 2010), Uganda (2011), Zanzibar (2005, 2010), Zambia (2005, 2008, 2011, 2015), and Zimbabwe (2000, 2002, 2008). Reports on these missions can also be found on our website.



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#### **About EISA**

EISA is a not for profit organisation established in 1996 based in Johannesburg (South Africa) with field offices in Central African Republic, Gabon, Kenya, Madagascar, Mali, Mozambique and Somalia.

#### **Our vision**

An African continent where democratic governance, human rights and citizen participation are upheld in a peaceful environment.

#### **Mission statement**

EISA strives for excellence in the promotion of credible elections, citizen participation, and the strengthening of political institutions for sustainable democracy in Africa.

#### **Funded by**

