



PRELIMINARY STATEMENT OF THE ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES ON THE 2016 NATIONAL ASSEMBLY ELECTIONS OF THE REPUBLIC OF SEYCHELLES HELD ON THE 8TH TO 10TH SEPTEMBER 2016.

Purpose

1. The purpose of this preliminary statement is to share with our member commission - the Electoral Commission of Seychelles, electoral stakeholders and the people of Seychelles, the Electoral Commissions Forum of SADC countries (ECF-SADC) Mission's observations of the National Assembly Elections held from 8th to 10th September 2016. It shall also share key recommendations aimed at improving elections management and administration in Seychelles, promote democratic elections and consolidate democracy in the SADC region.

Background

2. Following an invitation by the Electoral Commission of Seychelles, the ECF-SADC constituted an Observer Mission to observe the 2016 National Assembly Elections of the Republic of Seychelles.
3. The ECF-SADC Election Observer Mission was led by Commissioner, Rev. Bongani Finca, of the Electoral Commission of South Africa. The Mission consisted of seven (7) persons being observers and secretariat support staff drawn from the Electoral Commissions of Lesotho, Namibia and South Africa. The Mission was conducted from the 2nd to 13th September 2016.
4. We place on record that the ECF – SADC observed the 2015 Presidential Election and made the following recommendations:
 - i. That the voters' register must be regularly updated. It must be compiled accurately, transparently and inclusively and be made available to political parties in good time for verification.
 - The Mission observed that the recommendation was not fully implemented.
 - ii. Regular stakeholder engagements to strengthen communication between the Electoral Commission and its stakeholders.
 - The Mission observed that the recommendation was not implemented.
 - iii. Voter education to be strengthened to deal with prohibited conduct such as undue influence on voters.
 - The Mission observed that the recommendation was not implemented.

- iv. The rights of the persons with disabilities to cast their vote in secret must be upheld through the adoption of new electoral innovations.
 - The Mission observed that the recommendation was not implemented.
- v. The need to develop an adequate results system that gives tabulation and compilation of results to minimize uncertainty and public suspicion.
 - The Mission observed that the recommendation was not implemented.

Mandate of ECF-SADC

5. The ECF-SADC was launched on 16th July 1998 and comprises fifteen (15) electoral management bodies (EMBs) of the SADC member states. The mandate of ECF-SADC as outlined in its Constitution is primarily to strengthen co-operation amongst electoral commissions in the SADC region and to promote conditions conducive for credible and transparent elections in the SADC region.
6. The ECF-SADC views election observation as an important component of promoting democratic elections and consolidating democracy in the SADC region, hence its involvement. Through election observation, the ECF-SADC strives to assist fellow Election Management Bodies (EMBs) to identify areas needing improvement in respect of election administration and management and this also serves as an opportunity for mutual learning and promotion of best practices across the SADC Region. The Mission observed that the Electoral Commission of Seychelles has not been participating in these observation programmes and has not benefited from the lessons that are learned. The Mission encourages the Electoral Commission of Seychelles to consider the advisability of participating actively in these programmes.

Guiding Election Observation Instruments and Values

7. ECF-SADC election observation missions are guided by the Principles for Election Management, Monitoring and Observation (PEMMO) (2003) in the SADC Region, the revised SADC Principles and Guidelines for Governing Democratic Elections in the SADC Region (2015) and the African Charter on Democracy, Elections and Governance (2004).
8. Consistent with the abovementioned instruments, ECF-SADC Election Observer Missions are guided by the values of impartiality, neutrality, transparency, and objectivity.

Observation Methodology and Activities undertaken

9. The observation mission employed complimentary data collection methods including, (i) documentary review (ii) paying courtesy visits to the host Commission (iii) observing final campaign rallies (iv) engaging with local stakeholders (v) interacting with international observer missions (vi) the polling (vii) counting processes and (viii) transmission, tabulation and announcement of election results.

10. The various activities undertaken enabled the Mission to gather strategic and comprehensive information, so as to assess the administration and management of the 2016 National Assembly Elections of the Republic of the Seychelles.

Deployment

11. The Mission's deployment period was from the 7th to 11th September 2016. Three (3) teams were deployed on Mahé Island and one inner Island, namely Silhouette. The Mission was unable to deploy to outer islands because we were informed that there were no seats available in the air transportation. The Mission was not in a position to make its own arrangements.

Pre-Election Phase

12. The Mission attended the final rallies of two political parties and found them to be festive and peaceful.
13. On 5th September 2016, the Mission received briefings from various stakeholders including representatives of contesting political parties, representatives of the media fraternity, and representatives of civil society organisations who addressed the Mission from the perspective of their respective sectors. The Mission further received a presentation from a representative of the Electoral Commission of Seychelles on their state of readiness.
14. Briefings were also held with the Bishops of the Catholic and Anglican churches regarding the role of the church ahead of the elections.
15. The stakeholders raised several issues, including the following:
 - i. The nature of voter education by the Electoral Commission Seychelles was limited. It focused on advertisements dealing with misinformation from social media.
 - ii. The credibility of the voters' register remains a challenge.
 - iii. The seemingly 'divided' Electoral Commission and lack of confidence by the public in the organisation.
 - iv. Delayed accreditation process for observers.
 - v. Questions on the availability of the Electoral Commission's timetable/calendar.
16. The Mission requested a meeting with the Commission to discuss various matters including issues raised by stakeholders. In this regard, the Mission met with the Chairperson and Chief Electoral Officer. The Mission was informed that progress was made on only one of the five recommendations from the 2015 ECF-SADC Mission. This related to the tabulation of results after the counting process.

17. The mission observed advanced polling on the 8th September 2016 and also witnessed the sorting of these ballots on the 9th September 2016.

Election Phase (Polling Day)

18. On polling day, the Mission observed the following:

- i. Polling stations visited opened on time and opening procedures were correctly followed.
- ii. The process of streaming voters in alphabetical order was implemented across polling stations visited. However, there were inconsistencies in how this process was applied.
- iii. In some polling stations visited, presiding officers and voters expressed dissatisfaction on the initiative to divide voters by alphabetical order.
- iv. The polling stations visited had adequate election material.
- v. In some polling stations, the lists of people who had voted on the 8th and 9th of September 2016 was supplied to each polling station on Mahé and these were marked off the main voters register ahead of polling.
- vi. The indelible ink was applied correctly.
- vii. In a number of polling stations, party agents played their role appropriately and did not interfere with the voting process. Some candidates were seen at the polling station in party colours.
- viii. Domestic and International observers were present in most polling stations visited.
- ix. Some voters were allowed to vote using passports as a form of identification. In some instances, these were recorded in the 'occurrence book', though this practice was not uniform.
- x. There was adequate signage at polling stations visited.
- xi. In a number of polling stations visited, there was adequate representation of women working as polling personnel
- xii. Voters needing assistance were assisted to vote. These included the elderly, and voters with disabilities. In the cases observed, one of the polling officers would be the person to make the mark on behalf of the voter, in the presence of the relative or person accompanying the voter.
- xiii. In some voting districts visited, the voters requiring assistance due to disability or infirmity were not given priority in the queues.
- xiv. The security personnel were present and no incidents of intimidation were observed. The Mission also observed the police assisting with the streaming of the queues.
- xv. Some stations were observed to have photographers and manned video cameras inside the polling station. This was also observed in the advanced voting.

- xvi. Generally, the voting environment was secure, peaceful and calm and the staff performed their tasks efficiently, diligently and effectively.

Closing, Counting and Results Announcement

19. The following was observed:

- i. Most polling stations closed on time, voters already in the queues were allowed to vote.
- ii. Closing procedures were mostly followed, though there were inconsistencies observed.
- iii. Counting was delayed in some stations due to conflicting approaches on the closing procedures.
- iv. Party agents were not provided with copies of the result slips.
- v. Results were transmitted to the Electoral Commission Headquarters, where after some time, they were announced.

LESSONS LEARNT AND GOOD PRACTICES

20. The Mission observed the following good practices:

- i. The peaceful and calm environment during the electoral period.
- ii. Inclusion of youth and women as polling staff and party agents.
- iii. Visible signage indicating the prohibition of cellphone use inside the polling station.
- iv. Taking of an oath of allegiance to the Seychelles Constitution by polling staff and party agents ahead of the polling.

21. The Mission encourages the Electoral Commission of Seychelles to consider the following:

- i. The implementation of recommendations made to it in the previous reports.
- ii. Regular stakeholder engagements to strengthen communication between the Electoral Commission and its stakeholders.
- iii. The alphabetical streaming of the voters list to be assessed further and standard operating procedures to be developed and implemented along with thorough training.
- iv. Use of indelible marker instead of liquid indelible ink.
- v. Reducing the number of election days.
- vi. Making adequate arrangements for observers to have access to outer islands.
- vii. Improving communication with all observer missions.

Key Mission Observations and Recommendations

22. These are Mission's key observations that are submitted to Electoral Commission of Seychelles for urgent attention and implementation.

i. The state of the Electoral Commission of Seychelles

One of the effective means of promoting the legitimacy and credibility of a genuine electoral process, is the existence of an election management body (EMB) that is independent, impartial and enjoys the confidence of the citizenry. The EMB must be a professional body that performs its statutory responsibilities, transparently, efficiently, and effectively. It is the responsibility of the EMB to earn the confidence and trust of all stakeholders, including political parties and candidates.

The Mission observed, with regret, that the confidence of some stakeholders on the electoral administration authority of the country has been eroded gradually over several years. Unless urgent steps are taken to rebuild trust between the election administrative authority and the electoral stakeholders, the conduct of credible and transparent elections in the near future will be in jeopardy.

Given the above, the Mission recommends that:

The competent authority in the Republic of Seychelles is urged to consider reforming the Seychelles Electoral Commission structure, and operations to make it more consistent with the good practice found in the election management bodies of the SADC region. These reforms must ensure the independence, impartiality and sound governance within the Electoral Commission of Seychelles.

ii. Civic and voter education

Civic and voter education is an essential and integral part of delivery of free, fair and credible elections. Although the Election Management Body must play a central role in the delivery of this service to the electorate, this must be done in cooperation with all the organs of civil society and other key electoral stakeholders.

The Mission observed that the Electoral Commission of Seychelles' understanding of its role in this regard was limited to periodic notices in the media space.

The attempts that have been made by organs of civil society are very commendable. The Mission believes that a cooperation relationship between the Electoral Commission of Seychelles and organs of civil society and electoral stakeholders will go a long

way in improving the intensification of this service to the electorate.

Given the above, the Mission reiterates its recommendation that:
The Electoral Commission of Seychelles in collaboration with other electoral stakeholders embarks on an extensive voter education drive encompassing all aspects of the electoral process. Given the observations made, there should be a particular focus on the issue of prohibited conduct such as undue influence on voters.

iii. Voters Register

The quality of the voters register is a fundamental pre –requisite to the delivery of a credible election. The voters register must be maintained regularly and kept concise, accurate and complete so that the rights of the Seychellois to universal and equal adult suffrage is jealously guarded. It must be an accurate statement of who is qualified to vote in an election, and by exclusion from the register, who is disqualified or prevented from participation. The Mission noted that the Electoral Commission of Seychelles is aware of the deficiency of the voters register, and the Mission is encouraged by their resolve and to undertake extensive remedial action to enhance the quality of the voters register.

Given this view, the Mission reiterates the recommendation from the 2015 Presidential Election, that:

The voters' register must be regularly updated. It must be compiled accurately, transparently and inclusively and be made available to political parties in good time for verification.

iv. Participation of women

Seychelles has played a leading role in the participation of women in the national legislative body. It has occupied the top position in the SADC region¹ and fifth position worldwide in this regard, thus making the envy of many nations. The Mission noted with some concern that the political parties have not upheld this excellent record in the nomination of candidates for this election. The Mission shall follow up the outcome of elected female candidates when the proportional representation candidates have been appointed.

The mission therefore recommends that:

¹ Colleen Lowe Morna and Sifiso Dube, SADC Gender Protocol 2015 Barometer, African Books Collect at 86

The competent authority is encouraged to consider the advisability of building into the electoral framework of the country, the gender parity and reclaim the position of Seychelles as a leading light in women participation in the national and other legislative bodies.

v. Election results management

Elections management cannot be complete without due consideration being given to the process of managing the results. In recent years, it has become clear that without a transparent process for tabulation and transmission of election results, the integrity of the entire electoral process becomes compromised.

In the case of the Republic of the Seychelles, the concern raised by stakeholders included result slips not being published where the counting took place, copies of these not being made available to the party agents, and tabulation not being transparently done at the results centre.

Given this, the Mission implores the Electoral Commission of Seychelles to **develop an adequate results system that gives tabulation and compilation of results to minimize uncertainty and public suspicion. The process should be open to the public and used to ensure acceptance of election results.**

23. Conclusion

- i. It is the observation of this Mission that the election observed represents an extraordinary accomplishment by the people of Seychelles to consolidate electoral democracy. The Mission therefore congratulates the thousands of voters who came out in their numbers and stood patiently in long queues in order to vote for the candidates of their choice. Their dignity, tolerance and respect for electoral processes was an example of patriotic service to their Constitution and their country.
- ii. The Mission commends the leaders of political parties, the candidates and the party agents for a spirit of mutual respect and their acceptance of the will of the electorate.
- iii. The Mission applauds the role played by the organs of civil society in contributing to the creation of conditions that were conducive to a peaceful and orderly election.

- iv. The Mission congratulates the Seychelles EC and all their staff at the operational level for managing to deliver a credible election that was sufficiently free and fair, although the Commission was faced with serious challenges to its credibility and good standing

Signed on this Sunday, 11th September, 2016, Victoria, Republic of Seychelles.

Commissioner, Rev Bongani Finca
Mission Leader
Electoral Commissions Forum of SADC Countries (ECF-SADC)