

PERFORMANCE ASSESSMENT AND POST-ELECTION REPORT



2015 REGIONAL COUNCILS AND LOCAL
AUTHORITY COUNCILS ELECTIONS HELD ON
27th NOVEMBER 2015





Electoral Commission of Namibia

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List of Abbreviations

CERC	Central Result Centre
CSOs	Civil Society Organisations
ECN	Electoral Commission of Namibia
ERTS	Election Result Transmission System
EVMs	Electronic Voter Machines
FAQs	Frequently Asked Questions
IPPR	Institute for Public Policy Research
LA	Local Authority
NBC	Namibian Broadcasting Corporation
OMAs	Offices, Ministries and Agencies
PWDs	People with disabilities
RC	Regional Council
ToTs	Trainer-of-Trainers
VVDs	Voter Verification Devices

Preface

The right to peaceful political activity and the right to vote are enshrined as inalienable fundamental human rights in the Namibian Constitution and in numerous international human rights instruments. The Namibian Constitution and the Electoral Act (No.5 of 2014), respectively, assign the duty to ensure the enjoyment of these rights by all, on an equal footing, to the Electoral Commission of Namibia (ECN).

The ECN is, specifically, mandated to organise, direct, supervise, manage and control the conduct of elections and referenda in a free, fair, independent, credible, transparent and impartial manner. The ECN is further mandated to strengthen constitutional democracy and to promote democratic electoral and referenda processes.



In executing this mandate, the ECN conducted the 2015 Regional Councils and Local Authority Councils Elections on Friday, the 27th of November 2015. On this date, the Namibian electorate exercised their democratic right to freely elect their representatives for these governing structures.

All the contesting political parties, the candidates, the electorate and all stakeholders in the country must be commended for the peaceful manner in which they conducted themselves during the entire electoral process (before, during and after the elections). Indeed, everyone involved displayed high levels of political maturity throughout the entire process.

In terms of the new Electoral Act, the ECN has to give account to the nation, through the Speaker of the National Assembly, in the form of a performance assessment and post-election report of any election conducted in the country. This report has been compiled in compliance with this obligation.

In the main, we are proud to report that the 2015 Regional Council and Local Authority elections were conducted in strict compliance with the legal standards and requirements which generally and specifically apply to these elections. The reports submitted by the various observer teams attest to this. We wish to state, without fear of favour, that the ECN commits itself to address the administrative challenges which occurred during these elections, and continuously work to improve the electoral systems and processes to enhance the service delivery of future elections.

As the Electoral Commission of Namibia we are humbly submitting this Performance Assessment and Post-Election Report: 2015 Regional Councils and Local Authority Councils Elections held on 27th November 2015 for public scrutiny.

Adv. Notemba Tjipueja
CHAIRPERSON: ELECTORAL COMMISSION OF NAMIBIA (ECN)

Acknowledgement

The 2015 Performance Assessment and Post-Election Report of the Regional Council and Local Authorities Elections is a statutory requirement under section 116 of the Electoral Act. This section provides that the ECN must conduct a performance assessment in respect of the electoral process and thereafter publish a post-election report in respect of the election concerned. In order to comply with the statutory requirement the following persons played a role during various stages on this report:

The original draft was drafted by Mr. Jesse Munashimwe, Ms. Vikitoria Hango, and Ms. Ushi Nauyala. Adv. Heidi Jacobs contributed to the legal aspects which need to be highlighted in the report in terms of section 116. Prof. Paul John Isaak edited the entire draft report. Mr. John Nakuta was contracted for the final editing and compilation of the report. The final product was reviewed and endorsed by the Commissioners of ECN.

The ECN acknowledged that without the commitment and selfless work of all the persons involved the completion of this self-assessment exercise would not have been possible. We are, therefore, indeed, endlessly thankful for their dedication, interest and sense of duty to complete this assignment. Likewise, the ECN is thankful for the constructive and continuous working relationships with the entire Namibian electorate, media, political parties and associations/organisations, and the much appreciated financial support from the Namibian Government.



Executive Summary

Regional Councils (RC) and Local Authorities (LA) form an integral part of the democratic governance system of Namibia. The importance of these governance structures cannot be over-emphasised. These structures are proverbially charged with the responsibility of bringing the government closer to the people.

In terms of the Namibian electoral calendar RC and LA elections are conducted every five (5) years. To this end, the Namibian nation went to the polls on Friday, 27 November 2015 to elect their representatives for these respective councils.

In respect of the RC elections, a total number of 95 (out of 121) constituencies were contested while 26 constituencies were uncontested. With regard to the LC elections, a total number of 52 (out of 57) local authorities were contested while five (5) were uncontested.

Extensive preparatory work was undertaken to ensure that these elections were delivered in a free, fair, credible and a non-discriminatory manner as required by the Electoral Act (No. 5 of 2014). The Electoral Commission of Namibia (ECN) delivered its mandate in this regard. The observation missions report submitted to the Commission after the election attest to this.

The ECN embarked on a rigorous voter registration campaign before the elections. No objections were lodged against the inclusion and/or non-inclusion of names in the provisional voters' registers. The final voters' registers showed that, a total of 1, 267, 335 voters registered for the 2015 Regional Councils elections whilst 418, 544 voters were registered for the 2015 Local Authority elections respectively.

The ECN's Division Democracy Building embarked on an extensive voter and civic education outreach programme. Special efforts and strategies were devised to reach out to young eligible voters as well as to voters with disabilities. Media practitioners and civil society organisations (CSOs) were also identified as strategic partners in the quest to educate the populace on electoral issues. For instance, the ECN and the Institute for Public Policy Research (IPPR) collaborated to produce a Frequently Asked Questions (FAQs) edition about the 2015 Regional Council and Local Authority Elections. This was widely distributed in all the major newspapers. The ECN and the Namibian Broadcasting Corporation (NBC) collaborated and produced special advertisements on the importance of RC and LA elections, why voters should vote, and on the use of the electronic voting machines (EVMs).

The elections campaigns of the various political parties were conducted peacefully and displayed high levels of tolerance and maturity. The Code of Conduct for Political Parties was, generally, well observed by all political parties during campaigning.

The actual elections were, similarly, conducted in a peaceful atmosphere, free of any recorded incidents of violence or intimidation, and with all the contesting candidates adhering to the Code of Conduct for Political Parties during and after the elections. Election technological equipment such as the EVMs and Handheld Voter Verification Devices (VVDs) were optimally utilised. As a consequence, delays and long queues were largely absent during the 2015 Regional Council and Local Authority elections. The assistance and collaboration of the Namibian Police to achieve and maintain high standards of security throughout the entire electoral process is hereby acknowledged and highly appreciated.

The voter turn-out for the RC and LC elections was relatively low. The voter turnout was 39.8% for the RC and 36.6% and for the LC elections. The voter turnout for these elections in the country has, generally, been low.

The 2015 Regional Council and Local Authority elections were only observed by four observer missions. There seems to be less enthusiasm to observe RC and LA elections. The general finding of these observer missions, variously stated, were that these elections were organised and delivered in a free, fair, and credible manner consistent with international standards.

There seems to be less enthusiasm to observe RC and LA elections.

Performance Assessment and Post-Election Report

One of the most innovative initiatives introduced by the new Electoral Act (No. 5 of 2014) is the requirement placed on the ECN to compile a Performance Assessment and Post-election Report after every election. The Performance Assessment and Post-election Report, essentially, serves as an accountability measure. This is governed by section 116 of the Act. This section requires the ECN to carry out a performance assessment in respect of the electoral process soon after the publication of any election results. The ECN is further required to publish the post-election performance assessment report within one month of its compilation.

The Performance Assessment and Post-election Report serves as an accountability measure

The Act is prescriptive and unambiguous in respect of the content of the post-election performance assessment report. The following issues must be flagged in the report:

- constitutional and electoral issues;
- systems and logistics, including infrastructure;
- training of staff members or temporary staff members (electoral officials) and their performance;
- voter and civic education;
- the voting process and analysis of results;
- possible recommendations of amendments to any electoral legislation; and
- any other matter which the Commission may deem necessary.

The post-election performance assessment report must be submitted to the National Assembly. This is to be done by the Chairperson of the Commission within six (6) months after an election.

The Act is also explicit on how the Speaker of the National Assembly should deal with the report. It requires the Speaker to cause the National Assembly to discuss and consider the report. The Speaker is further required to refer and distribute the report to the President, the Chief Justice, the Chairperson of the Electoral Court, the Chairperson of the Magistrates Commission and the Chairperson of the Law Reform and Development Commission. The Speaker is similarly required to make the report available for public inspection.

Section 116 of the Act is clearly meant to solidify accountability, build confidence in the electoral process, and to deepen democracy. It is, undoubtedly, a welcome innovation.

This publication constitutes the performance assessment report for the 2015 Regional Council and Local Authority Council elections pursuant to section 116 of the Act.

Chapter one: Pre-Election Phase

This chapter reports on the pre-election phase. It starts by giving a brief synopsis of the place and scope of the RC and LA elections within the Namibian electoral system. The specific systems applied in these elections are also highlighted. Furthermore, the ECN's state of readiness for the conduct of these elections with reference to budgeting, financing, procurement, recruitment and training of electoral officials, civic and voter education, voter registration, the publication of the provisional voters' register, the various stakeholder workshops held, and the printing of ballot papers are also some of the major issues reported on in the next sections.

1.1 Legislative framework

The mandate to conduct RC and LA elections emanates from the Namibian Constitution complimented by the new Electoral Act. This constitutional injunction is given greater content in the Regional Councils Act (No. 22 of 1992) and the Local Authority Councils Act (No. 23 of 1992) respectively.

Historically, the RC and LA elections did not always take place at the same time. This is due to the fact that the terms of office for Regional Councillors and Local Authority Councillors were different. However, following the passing of the Amendment Act (No.12 of 2010) the two elections were synchronized to take place simultaneously every five (5) years. Since then both elections are held together. This happened for the first time on 26th and 27th of November 2010.

The 2015 LA and RC elections took place under the new legal dispensation and major electoral reforms introduced by the 2014 Electoral Act. For example, the RC and LA elections were conducted in one (1) day consistent with the dictates of the Act that all elections in Namibia should be conducted in one day.

These elections were to be organised, directed, supervised, managed and controlled by the ECN as required by the Electoral Act. This Commission duly complied with these statutory functions and executed its mandate in a free, fair, credible, transparent and impartial manner.

1.2 Electoral Systems and Boundaries

1.2.1 Electoral Systems

In terms of the Namibian electoral system elections are conducted at three levels, namely, national, regional and local levels. RC and LA elections are conducted at regional and local level and meant to elect councillors to serve on regional councils and local authorities respectively.

The first-past-the-post system is used to elect regional councillors. Elected regional councillors serve a five-year term.

Local Authority elections are also conducted in accordance with the proportional system using party lists. Duly elected local authority councillors serve a five (5) year term.

1.2.2 Clarification of Boundaries

During the second half of 2014 following the work of the Fourth Delimitation Commission the ECN embarked on a major project – the clarification of boundaries. It is absolutely imperative that the ECN conduct elections within predetermined borders for the various political regions and constituencies. For instance, the following recommendations of the Fourth Delimitation

Elections are conducted within predetermined borders for the various political regions and constituencies.

Commission Report were directly relevant to the Regional Council and Local Authority elections:

- The increase of political regions from 13 to 14 (the Kavango region was divided into two, namely, Kavango East and Kavango West;
- Creation of fourteen additional constituencies (from 107 to 121 constituencies);
- The boundaries of 11 constituencies were adjusted; and
- The name changes introduced to one region, and some constituencies as per Proclamation No. 25, Government Gazette No. 5261 of 9 August 2013.

Furthermore, following the Third Constitution Amendment Act in 2014 notable changes were also introduced to the policy framework to the RC and LA elections. These include:

- Members of the Regional Councils from each RC nominated to the National Council increased from 2 to 3; Resultantly, the size of the National Council increased from 26 to 42 National Council members; similarly,
- The number of polling days has been reduced to one (1) day.

Lastly, following the Regional Councils Amendment Act of 2010, the Regional Governors are now appointed by the President, instead of being elected from amongst elected regional councillors as has been the case.

1.3 Budgeting and Financing

The Electoral Commission of Namibia is fully State-funded. During the 2015/2016 financial year an amount of N\$264,400,000 was allocated to the institution to cover all electoral operational and other activities. From this amount, N\$132,797,000.00 was allocated for Planning, Registration and Voting. The bulk of this amount, 80 %, was earmarked for remuneration of officials to be recruited during the elections.

A total number of 10,681 officials were recruited for the supplementary registration of the 2015 Regional Council and the Local Authorities Elections. The total expenditure in this regard was N\$110,075,279.

Table 1: The number of different election officials recruited

Positions	No. of recruited position
Training of Trainers (ToT)	22
Regional Coordinators	14
Assistance Coordinators	28
Supervisor of Registration	121
Returning Officers	179
Team leaders (worked during registration of supplementary of voters)	718
Presiding Officers	1 960
Registration Officers	2 872
Polling Officers	7 522
Logistic Officers	52
Casual Labourers	50
Regional IT Field Support Staff	28
Audit Managers	2
Transport Officers	1
Youth Ambassadors (Voter Education)	122
TOTAL	10 681

Other major expenditures included the extensive advertising initiatives, training of recruited officials, hiring of registration and voting venues, stationeries, upgrades of the ICT voting equipment, hiring of private transport, government garage vehicles, hiring of aircraft/helicopters, and other related registration and elections materials. In addition, during the month towards the polling day Youth Ambassadors were deployed in all fourteen (14) regions for intensive voter education targeting the youth voters. This method of directly engaging the Youth Ambassadors was successful.

1.4 Recruitment

The recruitment process for all electoral officials for the Regional Councils and Local Authorities elections was done in a transparent manner. All positions were advertised publicly and indicated the remuneration levels. Applications were handed in at police stations throughout the country. All interviews were conducted at the ECN Head Office. All applicants were also required to write a test as provided for by the Electoral Act. Senior positions such as Regional Coordinators, Returning Officers were filled through secondment from Government Offices, Ministries and Agencies (OMAs)

Officials recruited for this process and the training and appointment dates are indicated in the table below:

Table 2: Training schedule for different election officials

POSITION	TRAINING	APPOINTMENT
Training of Trainers (ToT) (22)	15 – 25 June 2015 12 – 18 Oct 2015	06 July 15 – 05 Aug 15 19 Oct – 30 Nov 15
Regional Coordinator (14)	06 – 10 July 2015 19 – 23 October 2015	11 July – 30 Aug 2015 24 Oct – 07 Dec 2015
Assistant Coordinator (28)	06 – 10 July 2015 19 – 23 October 2015	11 July – 30 Aug 2015 24 Oct – 07 Dec 2015
Supervisor of Registration (128)	13 – 18 Jul 2015	19 Jul – 25 Aug 2015
Returning Officers (147)	21 – 25 Sep 2015 02 – 07 Nov 2015	26 Sep – 18 Oct 2015 08 Nov – 07 Dec 2015
Team Leaders (718)	23 – 26 July 2015	27 Jul – 25 August 2015
Presiding Officers (1960)	14 – 24 Nov 2015	14 – 29 November 2015
Registration Officers (2872)	27 Jul – 02 Aug 2015	03 - 23 Aug 2015
Polling Officers (7522)	14 – 25 Nov 2015	26 – 28 Nov 2015
Logistic Officers (52)	25 – 26 July 2015	27 Jul – 30 Aug 2015 09 Nov – 04 Dec 2014
Regional IT Field Support Staff (28)	25 – 30 Oct 15	23 Jul – 25 Aug 2015 02 Nov – 05 Dec 2015

Polling officials reported for training on 14 November 2015 for roll-call purposes for possible replacements to be done before actual training started on Monday, the 16th November 2015. Deployment of special voting teams took place on 22 November 2015 and for the actual voting on 25th and 26th November 2015.

1.5 Training and Preparation of Election Officials

During the 2014 Presidential and National Assembly elections the ECN introduced the use of Trainer-of-Trainers (ToTs) to assist with the training of electoral officers at all levels. The training specifically focused on all the electoral processes and the legal requirements pertaining to the registration of voters. Twenty- one ToTs were trained for this purpose. For the Regional Councils and Local Authority elections, these ToTs were re-appointed and re-trained on such processes.

The training of election officials for the RC and LA elections, at regional and constituency levels, started with a week-long training of the regional managers, i.e., the Regional Coordinators and Assistant Coordinators during the period 19-23 October 2015. The training was conducted by ECN Head Office staff. This was followed by a one (1) week training for Constituency Supervisors and Returning Officers. It was conducted over the period 2nd to 7th November 2015, by officials from ECN Head Office.

The training of polling officials commenced immediately after the completion of the training of election regional managers and constituency supervisors. In turn, the training of polling officials was cascaded to cluster trainings in the respective regions. The training at this level was conducted by Returning Officers and supervised by the Regional Coordinators during the period 14th to 25th November 2015. Further training for Presiding Officers and their Assistants took place on 14th to 26th November 2015.

Election officials were trained on all aspects of the registration and polling processes, the duties and responsibilities of polling officials, on relevant provisions of the Electoral Act. The training also contained a technical and practical part in that these officials were trained on handling and operating various equipment and devices. Most of the practical training focused on the EVMs, VVDs, Administrative forms (Elect Forms) and the counting process (Tabulator).

The officials were also trained on the Election Result Transmission System (ERTS) by Computer Foundation (CF) instructors. Some staff members at the ECN Head Office were also trained as receivers, auditors and release officials.

Figure 1: Presiding Officers in training





1.6 Voter Registration

The supplementary voter registration process must be conducted before any election. This is meant to include new applicants, issue duplicate cards for the voters who have either lost or damaged their voters' cards, update their particulars or moved residential addresses from one region, constituency or local authority to another.

The Supplementary Registration of Voters (SRV) process was conducted over the period 5th to 22nd August 2015. The biometric voter registration kits were used to register voters. A total number of 74,034 voters were registered of which 29,583 were new applicants and 44,451 duplicates. At the end of the supplementary voter registration process the total number of registered voters for the Regional Council elections was 1,267,335 and 418,544 for the Local Authority elections respectively.

1.7 Provisional Voters' Register

Sections 31 and 32 of the Electoral Act require the ECN to prepare, publish and display the provisional voters' register for public scrutiny and objections against names of persons included therein. To this end, a total of 292 display venues were identified in all 14 regions. The RC and LA provisional voter's registers were duly displayed during the period 21st to 25th September 2015. This gave all registered voters, registered political parties and political organisations the opportunity to scrutinise and object to the inclusion or non-inclusion of any name(s) in the provisional voters' registers.

Section 32 of the Electoral Act governs the handling of objections to the inclusion and/or exclusion of names from the provisional register. Such objections must be lodged with the Electoral Tribunals designated for the given magisterial geographical area. The period 22nd September to 12th October was set aside for the lodging of objections to Electoral Tribunals. Not a single objection was lodged. The final voter's registers were accordingly published in the Gazette on 20th November 2015.

No objections were lodged in respect of the provisional voters' registration

1.8 Voter and Civic Education

The ECN's Division Democracy Building has all along been mandated to provide voter education to communities in regions, constituencies and local authority areas across the country. The new Electoral Act adds civic education to this mandate and directs that there be a permanent division providing same. The ECN, through the Division Democracy Building, is therefore now formally mandated to provide both voter and civic education. Civic and voter education focuses on educating and informing the public on different aspects pertaining to electoral issues and matters to assist them in making informed decisions, to understand and participate in the electoral processes.

It is worth noting that the Division has always incorporated civic education in its activities. For example, the booklet "Voter Education and Elections in Namibia" and the "Facilitation Guide" were published to assist the voter and civic education officers in their voter education outreach programmes in their respective communities. Apart from these voter education manuals, the ECN also produced the Voter Education Policy in 2015 aimed at informing the stakeholders on the legal framework on voter education and accreditation of persons and institutions to conduct voter education.

Civic and voter education is, however, not the exclusive prerogative of the ECN. The Electoral Act permits any natural or juristic person to provide voter and civic education. Such persons must be accredited by the Commission though.

Several information sessions were also conducted for key stakeholders.

1.8.1 Post-mortem workshop

A post-mortem workshop with all Voter Education Officers was conducted from 2nd to 5th February 2015. The aim of this workshop was to take stock of achievements and challenges in the respective regions experienced during the 2014 Presidential and National Assembly elections. The Voter Education Officers were also expected to come up with recommendations on how best to overcome the identified challenges. The workshop served as an ideal platform for voter education officers to design their regional action plans ahead of the 2015 Regional Council and Local Authority Councils elections.

1.8.2 Refresher workshop

A refresher workshop was conducted in four clusters from 22nd June to 3rd July 2015 respectively. The main aim of this workshop was to ensure that new recruits, existing voter education officers, and stakeholders have the same understanding of the most current information and developments as well as on relevant provisions in the Electoral Act in respect of the electoral process. The refresher workshop was meant to capacitate and equip participants with the requisite knowledge and information to conduct well-organised voter education activities.

1.8.3 Media workshop

A one day media workshop was held in Windhoek on 29th July 2015. The aim of the workshop was to discuss issues pertaining to 2015 Regional Councils and Local Authorities Elections. The emphasis was on sharing information in respect of the ECN's state of preparedness regarding the elections, the legal framework under which elections are conducted, Voter Verification Devices and the use of the EVMs.

The workshop was also used as a platform to review the voter education materials produced such as fliers, brochures, posters, newspaper supplements, radio and TV adverts with the view to simplify them into lay-language. In addition, this platform was utilized to further solicit information on how best the ECN could utilize the media to disseminate voter education information. A direct outcome of this workshop was the production of a detailed Frequently Asked Questions (FAQs) on the 2015 Regional Council and Local Authority Elections. The FAQs were produced through the collaboration of ECN and the Institute for Public Policy Research (IPPR). The FAQs was widely distributed as supplements in all the major newspapers. The ECN and the Namibian Broadcasting Corporation (NBC) also collaborated and produced special advertisements to educate the general populace on the 2015 Regional Council and Local Authority Elections. These advertisements specifically aimed to educating the general public on the importance of RC and LA elections, why voters should vote, and on the use of the EVMs, amongst others.

The media workshop was attended by various media houses such as radio, TV and Print media. The majority of those in attendance were from NBC radio services. This platform achieved the objective of enhancing the understanding of media practitioners on electoral issues.

Figure 2: Information sharing with media practitioners





1.8.4 Workshop for civil society organizations

A special workshop was also organised for civil society organisations (CSOs). It was held on 19th August 2015 and covered similar topics and programs presented to the media practitioners. The key objective was to engage, share and update the CSOs on the main activities of the ECN in preparation for the then upcoming Supplementary Registration of Voters which was slated for 5th to 22nd August 2015 and the Regional Councils and Local Authorities Councils Elections slated for 27th November 2015.

The workshop was also used to share the legal framework under which these elections were to be conducted. CSOs have been identified as key allies of the ECN in ensuring free, fair and credible electoral outcomes. The FAQs produced jointly by the ECN and the IPPR serves as a prime example in this regard.

1.8.5 Disability mainstreaming workshop

Involving people with disabilities (PWDs) in all electoral undertakings remains an unwavering commitment of the Commission. To this end, voter education officers, in particular, have been charged to be sensitive to PWDs related issues when conducting their voter education in their respective communities. It was, accordingly, considered imperative to equip voter education officers with relevant information and to train them on how best to mainstream disability issues into their voter education programmes. The Division Democracy Building accordingly organised a workshop from 28-30 September 2015 in Windhoek to equip these officers with appropriate information relevant to PWDs.

Voter education officers showed great interest in learning how best to demonstrate the EVM to persons with visual impairments; how to read Braille numbers engraved on the EVM; to learn best approaches and attitudes befitting people with disabilities and on how to reach PWDs.

1.8.6 Production and distribution of voter education materials

Voter education materials produced for the 2015 Regional Councils and Local Authorities Councils Elections were in the form of fliers, brochures, posters, newspaper supplements, radio and TV Adverts. All such materials were translated into local languages and also produced into audio visual and Braille. The new Electoral Act was also produced in Braille and Audio.

All produced voter education materials were dispatched to regions for further distribution at various public places such as constituency offices, traditional authorities' offices, schools, trade fairs, and public meetings. Also, supplements containing all registration and polling points were produced and disseminated via the print media.

1.8.7 Youth participation

To ensure youth participation in the electoral process the ECN recruited 112 'Youth Ambassadors'. These Youth Ambassadors were between the ages of 18 to 24. They were contracted for a period of three months (15th September – 15th December 2015). Eight (8) Youth Ambassadors, including youth with disabilities were recruited in each of the 14 regions. These ambassadors primarily assisted voter education officers with the provision of voter and civic education; motivate and entice other young persons and people with disabilities in the regions to participate in the planned elections; and, served to supplement the staff compliment in the regions in preparation of the 2015 elections.

A total of 112 'Youth Ambassadors' were appointed to assist with voter and civic education.

1.8.8 Voter education sessions and the EVM

The Supplementary Registration of voters, as noted before, took place from 5th to 22nd August 2015. During this period voter education officers, accordingly, concentrated on the registration requirements for the regional council and local authority council elections. Voters were specifically informed about the importance of these elections as well as the duties and functions of councillors. A practical demonstration on the EVM was included in every session. EVMs were displayed at all trade and agricultural shows in order to allow the electorate to get acquainted with the use of EVMs.

1.9 Accreditation of Election Observers and Media Practitioners

In keeping with international best practice, the ECN extended invitations to foreign and local election observers to apply for accreditation to observe the 2015 Regional Councils and Local Authority elections. No applications were received from foreign observer missions. Only four applications were received from local election observer missions. To this end, election observer missions duly accredited to observe the 2015 Regional Council and Local Authority elections were:

- European Union;
- Konrad Adenauer Foundation;
- NID (Namibia Institute for Development); and the
- NANGOF Trust.

Figure 3: The ECN Chairperson with Commissioner Nangolo, and the Botswana Ministerial and Parliamentary delegation that came to acquaint themselves with the EVMs



1.10 Election Campaigns

The 2015 RC and LA elections campaign period was peaceful and without any major incidents of violence or intimidation before, during and after the elections. The Code of Conduct for political parties must be credited for this. Political parties, generally, adhered to the Code. This, undoubtedly, ensured that the election campaigns and political rallies were generally held in a peaceful and tolerant atmosphere.

Election campaigns were generally held in a peaceful and tolerant atmosphere

The national broadcaster, the NBC, must also be applauded for the initiative to extend equal and free broadcast time to all political parties on its television and radio services. The novelty of this gesture lies in the fact that it was done voluntarily in the absence of a statutory requirement to do so.

1.11 Logistics

The ECN had ample time to test-run all new technologies. The by-elections and the national elections of 2014 provided the much needed opportunity to train the operators on how to handle and operate the new equipment. In this regard, the biometric Mobile Voter Registration Kits (VRKs) used in the registration process and the EVMs used in the polling process were thoroughly tested during by-elections before the actual deployment in the RC and LA elections. The testing was crucial not only for the successful implementation, but also to engender public confidence ahead of Election Day.

1.11.1 Election Materials and Distribution

The ECN established a total number of 3,480 polling stations (1,162 fixed polling stations and 2,318 mobile stations) country-wide for the 2015 regional council and local council elections. Most of the election materials were distributed in time.

1.11.2 Transport

Reliable and adequate transport is crucial for conducting successful and efficient elections. With reference to transport logistics, the Commission required 1,938 vehicles to be used during the 2015 elections. To this end, the Commission engaged government institutions and private vehicle owners to secure required fleet of vehicles. The use of private vehicles were compensated at the rate of N\$ 1 000 per day for 2x4 Pick Ups and N\$ 1 200 per day for 4x4 Pick-ups respectively. Government OMAs altogether only availed 912 vehicles to the Commission. This amounted to only 40 % of the total transport need. The shortfalls within regions were covered with private hired vehicles.

An alarming number of 31 vehicle accidents were recorded at an estimated cost of N\$860,742.47. A breakdown of accidents recorded per region shows that Otjozondjupa had 10 accidents, Ohangwena nine (9), Omusati five (5), Khomas three (3), Oshikoto two (2), whilst the Erongo had one (1) accident. One (1) was also recorded at the ECN Head Quarters. The majority of these accidents were as a result of speeding and negligent driving. It goes without saying that the ECN will have to devise more stringent intervention measures to curb this scourge.

As a general observation the ECN and all OMAs should timeously ensure that reliable and adequate transport is available to the ECN before every election. This, for instance, can be done through the establishment of an inter-ministerial transport committee.

EVMs has simplified the process of printing ballot papers.

1.11.3 Printing of Ballot Papers

The ballot papers were printed on 6 November 2015. Solitaire Press, a Windhoek-based printing company was contracted to print the ballot papers. The fact that ballot papers for RC and LA elections do not have the same format and each constituency and local authority have different contestants, makes the printing of ballot papers more cumbersome than is the case with Presidential and National Assembly. In the latter elections the whole country is regarded as one constituency. Ballot papers in such elections have thus the same format.

The introduction of EVMs has simplified the process of printing of ballot papers. Instead of printing thousands of ballot papers for every polling station, only one ballot paper is required for each EVM.

1.11.4 First Level Checking and Preparation of EVMs

The conduct of First Level Checks (FLC) of the EVMs is a legal requirement in terms of EVM regulations and the contractual obligation between ECN and Bharat Electronics, the supplier company of the EVMs from India. In terms of the EVMs regulations and the contractual obligations, the First Level Checking is performed by Engineers from the supplier and it must take place at ECN offices. Preparation of the Electronic Voting Machines was conducted in accordance with the EVM regulations. The EVMs were prepared centrally at ECN Head Office by the respective returning officers.

Figure 4: Preparing the EVMs for first-level check



1.12 Nominations

The submission of nomination of Independent Candidates for regional councils took place on the 14th October 2015.

In terms of Section 64(3) (a), the last day of nomination of political party candidates for the submission of party lists of regional councils and local authority candidates, also known as the Nomination Day, was set for 16th October 2015. The public sitting for the submission of nomination of such candidates was held from 9h00 until 11h00 as required by section 74 of the Electoral Act.

The nomination of candidates took place in all 121 constituencies across the country. However, as noted earlier, 26 of the 121 constituencies and 5 of the 57 local authorities were uncontested. Accordingly, no nomination process took place in these constituencies and local authorities. This means that only 95 constituencies and 52 local authority areas were contested in the recently held regional council and local authority elections.

A number of constituencies and local authorities were uncontested.

Chapter Two: Election Day

This chapter focuses on events that took place on polling day. This includes the opening and closing of polling stations, the functional state of EVMs and VVDs, Special Voting, the number of polling stations and the procedures used in the polling stations to identify eligible voters. It also looks at whether the secrecy of the ballot was observed, the counting process, tabulation of results, results transmission and the analysis thereof, and finally, the voter turnout.

2.1 Electronic Voting Machines (EVMs)

The ECN successfully introduced the use of EVMs during the 2014 Presidential and National Assembly elections. EVMs were, similarly, used during 2015 Regional Council and Local Authority elections. No major problems were experienced with the process. Importantly, no objections were raised by stakeholders, especially by political parties, on the use of EVMs.

2.2 Voter Verification Devices (VVDs)

Voter Verification Devices (VVDs) were used to verify and authenticate the voter cards of all voters at polling stations before allowing them to cast their votes. The entire national voter's roll, which contains the biometric data of each voter, is loaded on each verification device.

To avoid the delays and a repeat of the long queues experienced during the 2014 Presidential and National Assembly elections the ECN made the proper and adequate training of operators of VVDs a top priority. The software of the VVDs was also upgraded so as to speed up the verification of voters at polling stations. VVDs were also used during by-elections. This afforded the operators ample time to gain the necessary operating skills and confidence in handling these devices.

Figure 5: Demonstrating the VVD to the media



2.3 Security Arrangements

Security arrangements were put in place with the Namibian police from the onset of the electoral process. This was to ensure that law and order was maintained at all times during the electoral process. This related to the safe guarding of the ballot printing process, the transportation and safekeeping of the EVMs and VVDs at constituency police stations and ECN containers in the regions and the overall maintenance of law and order during polling day, among others. Regional Coordinators also had stakeholders meetings with the Namibian police a few days before the elections in all the regions. This was done so as to acquaint and/or reacquaint the assigned officers with the electoral process. These meetings further served as information sharing sessions, to clarify roles, and to update the police with the election time-table.

2.4 Election Day

Elections for the 2015 Regional Council and Local Authority elections were simultaneously held on Friday, 27th November 2015. All polling stations opened at 07H00 and closed at 21H00 as prescribed by the Electoral Act. All eligible voters in attendance at 21H00 were allowed to cast their votes as permitted by the law.

Figure 6: Eligible voters waiting for their chance to vote



2.5 Tabulation of Results

The counting and tabulation of results was done at polling stations after the close of polls as required by the Electoral Act. The results for the specific fixed or mobile team were then displayed at the polling station. The mobile and fixed teams within a specific constituency had to then move to the constituency collation centres where results from the different polling stations within the constituency were collated, displayed and transmitted to the ECN Central Election Results Centre in Windhoek.

2.6 Collation Centres

There were 147 collation centres across the country. At the collation centres the EVM accounts were verified. The Returning Officer verified the correctness of the returns furnished by the Presiding Officer, collated the results for the constituency/local authority and recorded the votes on Elect 19 (b) or Elect 20 (b) corresponding to the print out from the control unit of the EVMs. These two forms, the print out from the EVM and the Elect forms were then sent to the Election Results Centre in Windhoek for verification and announcement of results thereof.

The results were transmitted using fax to email and through traditional faxing. Significant delays were experienced during the transmission of election result returns from collation centres in the regions to the Central Election Results Centre (CERC) in Windhoek.

2.7 Election Results Transmission System

The ECN contracted Computer Foundation (CF), a South African company specializing in election results transmission and publishing, as the service provider after a successful public tendering process. The ECN acquired the election results transmission and publishing system (RTS) from the same company which was contracted to provide similar services during 2014 national elections. It was expected that, with few modifications, the system should be adapted to handle the RC and LA elections.

It was initially planned that the receiving, uploading and auditing functions of the system will be decentralized to the collation/constituency centres. The results were then to be transmitted to the Central Result Centre (CERC) located at the ECN Head Office for final endorsement and announcement by the Chairperson of the Commission as provided for in the Electoral Act. However, due to the challenges experienced during the training of Returning Officers it was then resolved, after consultations with all the relevant stakeholders, that the system will be operated from the CERC by ECN staff at ECN Head Office. It was further resolved that the entire process of CERC be reviewed before the next Presidential and National Assembly elections.

Figure 7: The Central Results Centre at the ECN during the 2015 RC and LA elections



2.8 Verification of Results and Official Announcements at CERC

Due to the nature of RC and LA elections which are constituency based, the results are announced at the collation centres. However, the new Electoral Act provides for the election results from the collation centres to be certified correct at the Central Election Results Centre by the Chief Electoral Officer after auditing of results and to be endorsed (signed off) by the Chairperson. As soon as the results were signed off by the Chairperson, they were made public. No major challenges were received on the outcome of both elections. The only challenges experienced related to the delays experienced with the verification and official announcement of the election results. Such delays were, however, successfully solved through the use of Form 30/20 and the tabulator's printouts. These were used to process the final election results.

Figure 8: Commissioners and CEO with the Chairperson announcing the results for the 2015 RC and LA elections



2.9 Analysis of Results

A low voter turnout for Regional Councils and Local Authority elections in Namibia has been a perennial cause of concern in Namibia. In fact, only the first Regional Councils and Local Authority elections of 1992 recorded impressive high voter turn outs of 82% and 81% respectively. All other subsequent Regional Council and Local Authority elections have seen very low voter turn outs. For example, the voter turn-out for LA and RS elections in 2010 were 33 % and 38% respectively.

The voter turnout for the 2015 RC and LA elections was relatively low.

The 2015 RC and LA elections were no exception in this regard. For 2015, the voter turnout during these elections was 39.8% and 36.6% respectively. The low voter turnout during RC and LA elections in the country, needless to say, is a cause of great concern.

The number of Regional Council seats won by the respective political parties is indicated as follows:

Table 3: Number of seats won by political parties and independent candidates on RCs

Political Party/Independent candidate	No. of seats won
SWAPO Party	112
NUDO	4
DTA	2
UDF	1
UPM	1
Independent Candidate	1
Total	121

Source: ECN

The number of Local Authority seats won by the respective political parties is indicated as follows:

Table 4: Number of seats won by political parties and independent candidates on LAs

Political Party/Independent candidate	No. of seats won
SWAPO Party	280
DTA	41
UDF	22
NUDO	11
RDP	11
APP	4
Residents Associations	4
UPM	3
COD	1
Total	377

Source: ECN

The issue of women representation on Regional Councils remains a cause of concern. Out of the 121 seats in the Regional Councils women only 21 seats are occupied by women. This compares poorly to the National Assembly statistics. Out of the 96 seats in the National Assembly women occupied 40 seats and men 56 seats. The issue of women representation in Regional Councils is far below Namibia's commitment to gender equality. Drastic corrective initiatives must be designed to ensure the achievement of equal representation of women on Regional Councils country-wide.

The representation of women on Regional Council remains low

The picture of women serving on the Local Authorities is somewhat different from the Regional Councils and National Councils. One can observe progress in the representation of women at Local Authorities levels. Currently there are a total of 371 seats in the Local Authorities. Out of the 371 seats women currently occupy 179 seats and men 192 seats. This means that about 48 % of the elected local authority councillors in 2015 throughout the country are women.

Figure 9: Political parties and media practitioners waiting for the announcement of the election results



Chapter Three: Post-Election Phase

This chapter highlights those activities and issues which occurred and emanated after the conclusion of the 2015 Regional Council and Local Authority elections. In this regard, a post-election review and assessment, audits and evaluation, legal reform, and institutional capacity building are specifically highlighted.

3.1 Post-Election Review, Assessment, Audits and Evaluations

All Regional Coordinators who represented the ECN as regional managers during the 2015 RC and LA elections were required to submit post-election reports to the Office of the Chief Electoral Officer. All the Regional Coordinators duly complied with this request. The post-election reports and assessments as submitted by the Regional Coordinators provided the ECN with insights and recommendations on how to improve the conduct of future elections.

Key staff members were identified and requested to review, analyse, and dissect the reports submitted by the Regional Coordinators. They were also requested to reflect on their own experiences in this regard.

All these initiatives were done with the view to inform the content of this Report. The following section highlights the major issues pointed out by Regional Coordinators and key staff members during the self-assessment exercise referred to.

3.1.1 Election Results Transmission and Publishing System (ERTS)

The biggest challenge encountered during the 2015 RC and LA elections related to the transmission of election results and the publishing system. More specifically, the result transmission flow from Collation Centres was adversely affected by heavy fax to email printing on very low duty printers, incomplete packages of the needed documents, illegible printouts and unavailability of transmission facilities.

3.1.2 Training

The following training needs and gaps were identified:

(i) Decentralization of the ERTS

Returning Officers ought to be properly trained on how to operate the Election Results Transmission System. The system must be optimally utilised since it has been designed to operate in a decentralised manner at Collation Centres. Uploading the information onto the system at collation centres would solve many of the problems associated with the ERTS, including overloading of the system, illegible fax documents etc.

(ii) Training period

The 1 week training period for election officials was found to be too short. The period allocated for training and preparation of EVMs as well as the training on the ERTS must be conducted over a longer period with a special focus on both theory and practice.

(iii) Number of trainees per training groups

The number of trainees per group was too large. In some cases the number of trainees was more than 120. This compromised quality as well as supervision by Returning Officers.

3.2 Legal Reform

3.2.1 The Full-Time Appointment of the Chairperson of the ECN

The Namibian Constitution Third Amendment Act provides for the Electoral Act 2014 makes provision for issues such as the qualifications of and criteria for the appointment of members of the Commission, conduct of members of the

Commission and disclosure of interest, the vacation of office and filling of vacancies, etc. It also makes provision for the appointment of the Chief Electoral and Referenda Officer and other staff members.

The Act also provides that the Chairperson of the Commission will be appointed in a full-time capacity. The Chairperson of the Commission took up fulltime duty in October 2015 until end of August 2016. The terms of all current Commissioners shall come to an end at the end of August 2016.

3.2.2 Requirements for Registration for Local Authority Election

Significant improvements in the process of registering voters was made during the 2015 Regional Council and Local Authorities elections by the new provisions of the Electoral Act, Act No.5 of 2014 following the Electoral Law Reform and the passing of the Namibian Third Amendment Act 8 of 2014.

In the past, there have been many complaints from members of the public concerning the registration requirements in order to qualify to vote in local authority elections. These requirements were based on the provisions of the Namibian Constitution. Article 111 (3) of the Namibian Constitution states: "Persons shall be qualified to vote in elections for Local Authority Councils if such persons have been resident within the jurisdiction of a Local Authority for not less than one year and immediately prior to such election and if such persons are qualified in elections in the National Assembly."

In practical terms and in order to comply with this constitutional provision, the ECN put regulations in place requiring eligible Namibian applicants who wish to take part in local authority elections to provide proof that they have resided 12 months consecutively in their respective local authority areas by providing water and electricity bills or telephone accounts from their municipal, town or village councils.

Unfortunately, a significant number of people were not able to comply with the above mentioned requirements in order to qualify to vote in local authority elections. The utility bills were not issued in the name of all members of the households and many applicants residing in informal settlements in cities and towns across the country could not provide proof of residency.

With regard to the registration of voters, Schedule 3 now provides for the registration of persons serving as members of the Namibian Defence force, Namibian police force, and Namibian correctional service as voters. There is also provision for the registration of persons at schools and higher education institutions as voters.

3.2.3 Suggestion for possible amendments to the Electoral Act

The following are some of the provisions which might warrant possible amendments to the 2014 Electoral Act:

Table 5: Suggestions for legislative amendments

Section	Subject	Suggested amendment	Challenge
Section 78	The section deals with the publication of party lists.	Not everybody has access to, or reads the Government Gazette. If the lists are published in the newspapers, candidates who found their names on a party's candidates list whilst not belonging to that party have an opportunity to bring it to the attention of the ECN and to ensure that it is removed.	A subsection should be added to provide for the publication of the party lists in at least two daily newspapers circulated throughout Namibia.
Section 79	The section deals with the requirements for nomination as a candidate for regional council elections.	If it should happen that a candidate is elected as a member of both the regional council and local authority council and he/she for some reason chooses to rather take a seat on the local authority council it will mean that a by-election will have to take place. Not only will it be a huge financial burden, but it will mean a vacancy on the regional council for a period.	A subsection should be added to prohibit a candidate to be nominated for both the regional council elections and local authority elections if it takes place on the same day. <u>Section 101 also has reference.</u>

Section 80	The section deals with the submission of nomination as candidate for regional council elections.	The Commission should have the power to remove a candidate who wishes to withdraw or who is found not to be capable of being nominated or who is no longer a member of the party who nominated him/her. Subsection (6) makes provision for instances where the amount deposited can be returned to the depositor.	A subsection should be added to make provision for the withdrawal of a candidate after nomination, but before the poll. Subsection (4) and (5) is contradicting each other and subsection (4) should be deleted.
Section 81(1)	The section deals with the duration of a session on nomination day and the consideration of nominations for regional council elections.	In light of the fact that nominations can be submitted from the day of publication of the Gazette proclaiming the nomination day, all issues regarding nominations should be finalized at least two (2) days before the actual nomination. Then the voters' registration numbers, age, etc. can be verified beforehand and on the actual day of nomination, the Chairperson can merely receive the nominations.	Subsection (1) should end at "11h00" and the rest of the sentence, starting with "but if at the last-mentioned hour....." should be deleted.
Section 86(2)	The section deals with the submission of political party and organisation list for local authority elections.	The Local Authorities Act, Act 23 of 1992, does not make provision for additional names to be added to the prescribed number of candidates and the Electoral Act can therefore not override and contradict the Local Authorities Act.	The last part of the subsection, starting with "and five names," should be deleted.
Section 86(7)(b) and (c)	The section deals with the submission of political party and organisation list for local authority elections.	There are no independent candidates in local authority elections.	The words "or candidate" should be deleted in both sub-subsections.
Section 98(4), (5) and (6)	The section deals with "tendered votes"	With the voting machines there is no "tendered vote" as is provided for in these subsections. There is however a form provided to ensure that voters' names, who voted outside their registered constituency, are recorded.	Both subsections should be deleted.

3.3 Institutional Capacity Building

The unsuccessful attempt by the ECN to decentralize the ERTS during the 2015 RC and LA elections has once again highlighted the urgent need for the ECN to beef up its institutional capacity to maintain, sustain and optimally operate these systems.

The adoption of new electoral technologies by the Electoral Commission of Namibia during the 2014 Presidential and National Assembly elections enabled the institution to launch major innovative technological and electronic devices such as the Electronic Voting Machines that were used for the first time during elections in the SADC region as well as the African continent.

CHAPTER FOUR: Challenges, Recommendations and Conclusion

The major challenges identified during the 2015 Regional Council and Local Authorities election were:

The institution, as explained earlier, experienced challenges with the ERTS system. This caused delays in the announcement of election results at the CERC. The System was initially designed to be operated at Collation Centres but due to logistical reasons it had to be moved to the ECN Head Office. This prompted the Commission to take a concerted decision to shift the operation of the system from collation centres to the CERC.

Problems associated with the VVDs, which caused delays and long queues during the 2014 Presidential and National Assembly elections were successfully attended to. As a consequence, delays and long queues were largely absent during the 2015 Regional Council and Local Authority elections.

EVMs operated well. Through the EVMs the votes casted during the 2015 RC and LA elections could be accurately recorded. The EVMs equally fast tracked the time spent at the voting stage as well as the counting of votes. The EVM technology ensures that there are no spoilt or rejected ballots. The EVMs have also simplified and improved the results tabulation process.

EVMs have fast tracked voting-time and counting of votes.

The tables below summarise the challenges and recommendations experienced during the 2015 RC and LA elections:

Subject	Challenges	Recommendations
1. The ERTS - Election Results Transmission System	The results transmission flow from collation centres was adversely affected by heavy fax to email printing on very low duty printers, incomplete packages of the needed documents, illegible printouts and unavailability of transmission facilities.	There is a need for decentralization of results.
2. Old Age Homes	Some matrons at Old Age Homes were not happy that fixed points should be established there because they consider 21h00 closing time too late for the safety of the senior citizens.	The ECN should consider this request of not establishing fixed points at Old Age Homes; more so, the proximity of polling stations should be given greater attention.
3. Transport	Lack of a reliable and adequate transport policy.	An inter-ministerial transport committee, under the auspices of the Ministry of Works and Transport should be established.

Conclusion

The Electoral Commission of Namibia takes this mandate very seriously. In fact the Commission is steadfast in its resolve to execute its mandate in a free, fair, credible and a non-discriminatory manner. The 2015 Regional Council and Local Authority elections were organised and directed in strict compliance with this mandate and international standards. The observation mission reports of those who observed these elections attest to this. For example, the observation mission of the European Union Delegation noted that:

The 2015 RC and LA elections were conducted in strict compliance with the ECN's statutory mandate

"It is possible to state, that regional and local elections 2015 as observed were free and fair, organized according to international standards. No one was denied access, there were no security forces or direct political interference, as well as not any important technical malfunction witnessed. The voting process was well organized and procedures followed without difficulties or problems. The voters could choose their candidate in a fair and free manner, without any interference. The polling station environment and atmosphere was peaceful and orderly."

Such statements serve to propel the ECN to improve on its performance in the quest to perfect the electoral system. The current system, admittedly, is not flawless. There is still ample room for improvement as pointed out in this Report. The Commission is committed to improve the electoral process in a consultative, participatory and collaborative manner with all stakeholders. The successful delivery of the 2015 Regional Council and Local Authority elections proved that this is indeed possible.

Annexure 1

Observer Reports

The ECN has encouraged the accredited election observer mission to submit a report at the end of the observation and each of the abovementioned accredited election observer has submitted a report and a summary of their reports is shown below.

Summary of Observations by Accredited Observer Missions - 2015 Regional Councils and Local Authority Elections.

Name of Organization	Focused areas	Observations
Konrad Adenauer Stiftung (Foundation) -KAS	Khomas Region	None of the polling stations observed have any irregularities been observed; EVMs used properly and in a professional manner; Low turnout observed; Not all political parties delegated party agents to various polling stations.
European Union (EU)	Eenhana, Ondangwa Rehoboth Mariental, Aranos, Kalkrand Windhoek	Report that elections conducted free and fair, organized to international standards. No one was denied access, no security forces or direct political interference. From view of several diplomatic representations process was complicated and rather slow. However, high level of good organization help to mitigate any problems.
Namibia Institute for Democracy (NID)	Khomas region.	Unequal gender representation in political parties still rive with more male's than female candidates; Some political parties not represented at each polling station can be as a result of lack of funding thus could not supply each polling station with candidates. Most political party agents were not trained to observe the elections. Observed voter apathy compared to 2014 elections and mostly elderly people voted, youth showed a low turnout. NBC provided free airtime. Requirements to register in RC and LA elections disadvantage marginalized people;

In general, the number of observers responded positively to the election process and outcome of the LA and RC elections. It must be stated clearly that the ECN always appreciates receiving the reports from observer missions. When observers issue such positive reports, it builds trust in the democratic process.

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