



Electoral Commission of Namibia

PUBLIC INFORMATION ON THE MISSING EVM UNITS



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The Electoral Commission of Namibia (ECN) has taken note of media reports and posts circulating on social media concerning the case of missing Electronic Voting Machines (EVM's) units. The Commission hereby wishes to set the record straight on this matter of high public interest. Most articles written on this matter contain factual inaccuracies which may potentially impact on our preparations of conducting a credible election process. Inaccurate media reports have the potential of causing unnecessary electoral uncertainties, doubts and instill mistrust among voters in the electoral process and consequently the election outcome.

For this reason, as a responsible election management body, the ECN has a sacred responsibility to uphold, promote and protect the integrity of the electoral process. It is therefore our duty to clarify the situation so as to not create negative perceptions around the overall integrity of the electoral process by providing to the general public and Namibian nation at large, all the facts concerning the missing EVMs.

As communicated in our press statement dated 20th October 2019, the ECN has a long standing practice of loaning electoral material and equipment including Electronic Voting Machines (EVMs) to its stakeholders; amongst others political parties, churches, trade unions, tertiary institutions and schools for purposes of conducting their internal voting processes.

Over the years, political parties and organizations have requested the ECN for technical and logistical support towards their internal elections, including the City of Windhoek (COW), the Afrikaner Traditional Authorities, NUDO, UDF, the Namibia National Teachers Union (NANTU), Ovaherero Traditional Authority, National Youth Council (NYC) and Oruano Church, to mention a few. This practice is a strategic voter education intervention meant to augment ECNs efforts to maximize public awareness and increase confidence in the use of the EVMs in elections in general. The machines which are loaned to stakeholders are those used for training and voter education purposes and not the ones that are used in actual national elections.

In this instance, the SWAPO Party Elders Council Elections Committee, through letters signed by Hon. Sakeus Shanghala in his capacity as their Returning Officer, dated 18th May 2017 and subsequently, another dated 26th June 2017, requested the ECN for support staff and, equipment to assist the SWAPO Party Elders Council with conducting an internal election from 6th – 8th July 2017 in Outapi, Omusati Region. The full consignment of the requested equipment included 156 Ballot Units, 53 Control Units, 4 Tabulators and 2 Printers.

The ECN, in a communication addressed to the SWAPO Party Elders Council Elections Committee on 29 June 2017, signed by the former Chief Electoral and Referenda Officer, Prof. Paul J. Isaak, informed the SWAPO Party Elders Council that it would assign five (5) staff members to provide technical support on the operation of the EVMs and six (6) Regional Voter Education Officers from the Omusati Region to further assist with the process.

The ECN indicated in the same letter that it would make available all equipment requested, provided that it will be the responsibility of the SWAPO Party Elders' Council to provide security of the equipment and to transport them to and from the venue where the elections were to take place. The decision to ask the SWAPO Party to transport the equipment was presumably taken as a cost saving measure, given the size of the consignment. The correspondence from the SWAPO Party Elders Council on 3rd July 2017 indicated that its election committee would be responsible for the secure transport of the voting equipment requested to and from Outapi. The requested items were signed for and collected by a certain Mr. Nigel Van Wyk on behalf of the SWAPO Party Elders Council on 05th July 2017.

On 11 July 2017, the ECN received communication from the SWAPO Party Elders' Council Election Committee providing information of the loss of election equipment which was suspected to have fallen off the trailer that was carrying the equipment during the conveyance from Windhoek to Outapi. The communication noted that the team transporting the election equipment noticed that two ballot units had fallen from the trailer and brought the vehicle to a halt in order to pick up the ballot units. The correspondence further mentioned that it later transpired, through communication from the Namibian Police in Otjiwarongo, that another ballot unit was picked up by a member of the public along the road of Okahandja and Otjiwarongo on 06th July 2017.

The ECN verified the number of the EVMs that were transported to Outapi against the checklist and were able to confirm the missing EVMs. Subsequent to this, one (01) ballot unit and one (01) control unit were picked up by a member of the public near the Mix Settlement, just outside Windhoek.

The EVMs were loaned to the SWAPO Party Elders Council and were placed in the full custody of the SWAPO Party Elders Council. The SWAPO Party had committed in writing to the ECN of taking full responsibility for the transport and the safe return of all equipment to the ECN HQ. The persons that were tasked with the responsibility of the safe keeping and handling of the voting equipment made sworn declarations with regards to the missing EVMs and certified them with the Namibian Police Force. The Commission noted that the former Chief Electoral and Referenda Officer, Prof. Paul J. Isaak, was in contact with the Namibian Police regarding this matter at the time, it is however now apparent that no criminal case was registered with the Namibian Police Force.

Nevertheless, the Commission would like to inform the Namibian public that it has taken cognizance of the concerns expressed through various mediums by the public on how the missing EVMs may affect perceptions on the credibility and integrity of the forthcoming election process. The Commission is fully aware of the EVM units that are missing and there is no way that any individual can somehow use the missing EVM units in the forthcoming 2019 Presidential and National Assembly elections. All the missing EVM components have unique serial numbers and the Commission hereby wishes to share with the general public the serial numbers as follows:

2 x Ballot units with serial numbers:
BEL-BU 07948 and BEL-BU 08074

4 x control units with the following serial numbers:
BEL-CU 07231, BEL-CU 08859, BEL-CU 07042, and BEL-CU 08769.

The Commission would like to reiterate the fact that the EVM is a stand-alone machine consisting of two interconnected components. It cannot be accessed via any other means and it does not transmit any signal or connect to any type of network. The system software that operates the EVM is

stored on to a chip which is Read Only Memory (ROM) and hardwired on to the planner board at manufacturing and is done in a fully automated plant.

The process before any election takes place is one characterized by a number of security measures and administrative safeguards in terms of the preparation of EVMs for any specific elections. The EVMs go through varied security checks before they are used. Some of the safeguards undertaken in this process are the following:

- i) The preparation of the ballot and control units for elections at the ECN headquarters is conducted in the presence of political party agents and representatives of candidates.
- ii) All voting material and equipment to be used in the elections, including voting machines and any tabulators are escorted by the police and kept in the safe custody of the designated police station before and after poll. This process is also done in the presence of political party agents as well as candidate's representatives.
- iii) Each EVM has a serial number, the serial numbers of the machines are recorded by political party agents and candidate's representatives before EVMs are transported to the different regions in the country. In addition, political party agents are invited to place their party clip seals (with own serial numbers) on each EVM and carrying cases. Each and every political party and candidate will be provided with information to be able to know which EVM is deployed at what polling station in each of the 121 Constituencies. This arrangement totally eliminates the possibility of sneaking in any undesignated EVMs in the polling process.
- iv) A pre-poll test of voting machines is conducted one hour (1) before polling at all polling stations as a requirement before the commencement of any poll, to ensure that all candidate buttons are functioning properly and the EVMs have no data from previous elections, in the presence of political party agents and candidates' representatives.

The Returning Officer of the SWAPO Party Elders Council Election Committee was entrusted with the transportation and safekeeping of the EVMs has taken full responsibility for the loss of the EVMs. Similarly, the ECN Secretariat undermined its own administrative protocols by allowing an external organization to transport sensitive electoral equipment.

In conclusion, the Commission has put in place additional standard operating procedures and safety standards around the management, storage and transportation of EVMs, which are strictly enforced, to ensure that an incident like this will never happen again. The SWAPO Party has since paid the requisite amount to the Receiver of Revenue as payment for the missing EVM units.

The Commission would like to urge any member of the public who is in possession of these EVM units to return them to the ECN or hand them in at the nearest police station as they remain State property.

Anyone who has any information on the whereabouts of the missing EVM units is hereby requested to inform the ECN or the Namibia Police Force.

Finally, the ECN would like to assure the electorate and the Namibian public at large of our unwavering commitment to the delivery of free, fair, transparent and credible elections in the forthcoming 2019 Presidential and National Assembly elections scheduled for 27th November 2019.

The Commission is currently sharing information and working closely with the Namibian Police Force in trying to find a solution to this matter.

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