



Electoral Commission of Namibia

**OPENING STATEMENT BY ADV. NOTEMBA TJIPUEJA, CHAIRPERSON OF THE
ELECTORAL COMMISSION OF NAMIBIA
ON THE OCCASION OF A BRIEFING SESSION FOR LOCAL AND INTERNATIONAL
OBSERVERS FOR THE 2019 PRESIDENTIAL AND NATIONAL ASSEMBLY
ELECTIONS**

Safari Hotel, Wednesday, 20th November 2019

Director of Ceremonies, Commissioner Evaristus Evaristus,

Fellow Commissioners,

The ECN Chief Electoral & Referenda Officer – Mr. Theo Mujoro,

Distinguished Mission Leaders and members of Election Observer Missions

Members of the Media,

Invited Guests,

Ladies and Gentlemen

It is my distinct honor to welcome you all at Safari Hotel on behalf of the Electoral Commission of Namibia (ECN). The purpose of this briefing is to update you on how far the ECN has progressed with its preparations for the forthcoming national elections.

Sections 55 – 66 of the Electoral Act No.5 of 2014 provides for the ECN to invite observers to witness elections in Namibia. This is in line with the ECN's core value of transparency and our quest for sharing experiences with a view to adapting international best practices. In total, **18 observer missions**, including the local observer missions, have been accredited to observe the 2019 Presidential and National Assembly elections.

Ladies and Gentlemen,

The ECN's theme for 2019 elections is aptly titled: "Promoting Inclusive Participation" and is meant to underline the importance of raising awareness to ensure inclusive participation of all groups in the Namibian society, including marginalized minorities, people with disabilities (PWDs), women and the youth. The mandate and ultimate objective of the ECN is to deliver an inclusive election process where everyone is able to participate in a free and fair manner.

The 2019 Presidential and National Assembly elections are scheduled to take place on 27th November 2019. Polling stations will open from 07h00 – 21h00. In terms of Section 1(3) of the Public Holidays Act, 1990 Act No.26 of 1990, the President determined the Election Day, 27th November 2019, to be a public holiday for the purposes of the conducting the Presidential and National Assembly elections.

The Commission is pleased to confirm that the ECN is indeed ready and well prepared to conduct the 2019 Presidential and National Assembly elections. This briefing will also highlight the milestones achieved, challenges encountered as well as measures taken in order to mitigate the challenges experienced since the last 2014/15 elections.

1. LEGAL FRAMEWORK

Distinguished Election Observers,

Please allow me to briefly explain to you the Namibian (i) **Legal and Institutional Framework**, (ii) the **Electoral Framework** and the (iii) **Electoral system** in which the 2019 Presidential and National Assembly elections are taking place.

The **legal and institutional framework** for the 2019 elections is based on the Namibian Constitution as amended in 2014 and the Electoral Act of 2014. The legal reform initiative

of 2014 was undertaken with the view to improve the electoral process in following four aspects:

- Strengthening of the independence of the Commission as a constitutional body in terms of recruitment and appointment procedures as well as funding and accountability;
- Consolidation of all laws and amendments relating to the electoral process into a single Act;
- Creation of separate Electoral Tribunals and Courts to handle election related disputes and complaints within stipulated timeframes; and
- Continued legal provision of an electronic voting method as an alternative balloting method/ system

In line with international obligations the Namibian Constitution provides for and guarantees fundamental rights and freedoms that are meant to guarantee the integrity of an election, and these include freedom of expression, association, assembly and freedom of movement.

The Third Constitutional amendments of 2014 strengthen the mandate of the Electoral Commission by establishing it as a constitutional entity and thereby safeguarding its independence.

The Electoral Act, Act No.5 of 2014 is a consolidation of different legislation and various amendments relating to elections and it is the principal law that governs all aspects of elections at all levels of governance. This Act provides for the right to vote; the registration of voters; the nomination of candidates; polling procedures; processes of dispute resolution and a clear description of election related offences. This consolidation of all election related laws into a single Act provides citizens, political parties and candidates with clarity and a comprehensive legal framework that protects the integrity of the electoral process in Namibia.

Ladies and Gentlemen

The Electoral Act (Act No. 5 of 2014), establishes the Electoral Commission of Namibia. The Electoral Commission of Namibia as an institution is headed by the Commission and the Secretariat. The Chief Electoral and Referenda Officer serves the ECN as the Accounting Officer and the Chief Executive Officer.

The Commission is made up of 5 Commissioners, headed by a fulltime Chairperson and four part-time commissioners. The Commissioners are appointed for 5 years, but may be reappointed for further five-year terms. In terms of the Act a minimum of two women must be appointed at any point in time to ensure gender parity.

The Electoral Act mandates the ECN to organize, direct, control and manage the electoral processes envisaged under the Act. The Act provides for a transparent process of nominating members of the Commission and guarantees its functional autonomy. The Act also confers on the Commission the powers to register and regulate the conduct of political parties.

With regard to the **Electoral system**, the Electoral Act provides for two systems for electing representatives. The president is elected through the majoritarian electoral system. In terms of Article 28(2)(b) of the Constitution a Presidential candidate needs to secure 50% plus of the total vote to be declared a winner. The President is elected for a maximum of five two-year terms.

In contrast, members of the National Assembly are elected through Proportional Representation (PR) on the basis of a closed party list system. Parliamentarians are elected for a term of five years. The Elections are conducted at three levels: national, regional and local council levels. The Presidential and National Assembly elections are conducted simultaneously on the same day while the Regional Councils and Local Authority Councils are conducted simultaneously during the following year.

2. CONCLUSION

In conclusion, Ladies and Gentlemen, my part is to formally welcome you and to officially open this very important briefing session for the observer missions.

However, before I hand back to the Program Moderator, I can confidently report to you that the 2019 Presidential and National Assembly elections got off to a good start with the Special Voting conducted on the **13th November 2019**. The election campaign so far has generally been peaceful and a calm atmosphere has prevailed across the country. No incidents of violence or intimidation have been officially reported to the ECN. The ECN is urging every eligible Namibia voter to go in droves to the polling points to cast their votes.

The Commission would like to assure the observer missions and the Namibian nation of its unwavering commitment to deliver a free, fair, transparent and credible elections to the nation, in the forthcoming Presidential and National elections. At the same time, the Commission would like to reiterate the fact that: **First**, this is an opportunity availed to the electorate to elect their representatives at the national level of governance; **Second**, that every eligible Namibian citizen has the right to take part in peaceful political activities as provided for in the Constitution and that democracy requires an active citizenry because without public participation, democracy lacks legitimacy.

Finally, the ECN wishes to acknowledge and encourage the role played by political leaders at all levels who have joined the ECN in an effort to sensitize the voters and public at large about the Presidential and National Assembly elections. Equally the ECN acknowledge the important role being played by other stakeholders including the media and civil society organization, Namibian Police and Community Leaders.

It is hoped that the presence of local and international election observers will add value to the outcome of the two election by ensuring that the election process is observed, reassuring and boosting confidence of the voters as well as evaluating the fairness, transparency and credibility of the election results. The Commission values your feedback

and look forward in receiving your observation reports on the process. **On that note, I hope and trust that we shall have a successful 2019 Presidential and National Assembly elections come 27 November.**

With these few remarks, I thank you and now declare the briefing session officially open.
