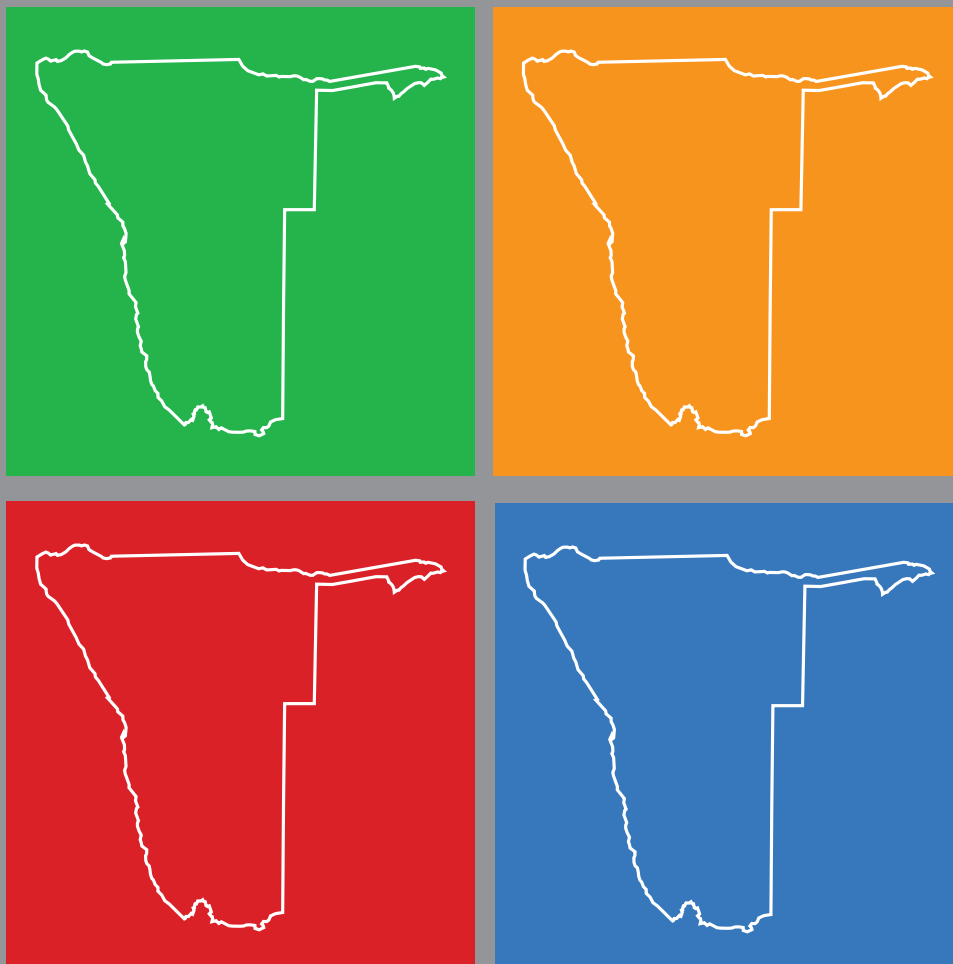


# PERFORMANCE ASSESSMENT AND POST-ELECTION REPORT

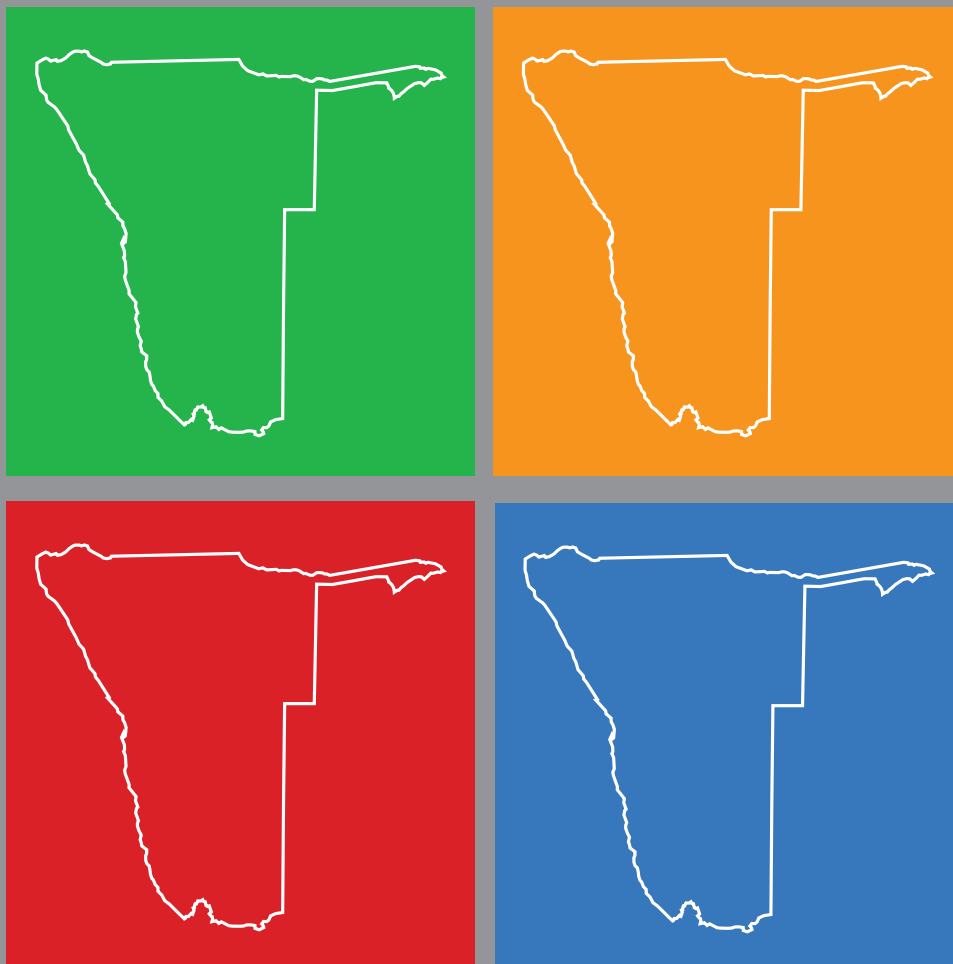


Electoral Commission of Namibia

**2014 NAMIBIAN PRESIDENTIAL AND  
NATIONAL ASSEMBLY ELECTIONS**



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## ACRONYMS

<b>ACHPR</b>	African Charter on Human and People's Rights
<b>AFIS</b>	Automated Fingerprint Identification System
<b>APP</b>	All People's Party
<b>AUEOM</b>	African Union Election Observer Mission
<b>CERC</b>	Central Elections Results Centre
<b>CVE</b>	Voter and Civic Education
<b>ECF-SADC</b>	Electoral Commissions Forum of SADC Countries
<b>ECN</b>	Electoral Commission of Namibia
<b>ELCIN</b>	Evangelical Lutheran Church in Namibia
<b>EMVs</b>	Electronic Voting Machines
<b>FLC</b>	First Level Checks
<b>GRV</b>	General Registration of Voters
<b>HR</b>	Human Resources
<b>IEC</b>	Independent Electoral Commission
<b>MVRKs</b>	Mobile Voter Registration Kits
<b>NBC</b>	Namibian Broadcasting Corporation
<b>NEFF</b>	Namibia Economic Freedom Front
<b>NUDO</b>	National Unity Democratic Organisation
<b>OMAs</b>	Offices, Ministries and Agencies
<b>PR</b>	Proportional representation
<b>PVR</b>	Provisional Voters Registers
<b>PWDs</b>	Persons with disabilities
<b>RDP</b>	Rally for Democracy and Progress
<b>RO</b>	Returning Officer
<b>SEOM</b>	SADC Election Observer Mission
<b>SRV</b>	Supplementary Registration of Voters
<b>UDF</b>	United Democracy Front
<b>VVDs</b>	Handheld Voter Verification Devices
<b>WRP</b>	Workers Revolutionary Party

## PREFACE BY CHAIRPERSON OF THE ELECTORAL COMMISSION OF NAMIBIA



The Namibian 2014 Presidential and National Assembly elections were a historic first, not only for Namibia, but also for the entire African continent. For the first time, an African country conducted national elections using Electronic Voting Machines (EVMs). It was also the first in Africa to incorporate paperless balloting into the voting process.

As part to its legal mandate and exclusive authority to direct, supervise, manage and control all elections and referenda sanctioned in terms of the Electoral Act, Act No 5 of 2014, the Electoral Commission of Namibia (ECN) is obliged to produce a performance assessment and post-election report in accordance with Section 116 of the said Act. The Commission has adopted the electoral cycle approach, which is the main guiding tool for the sequential execution of the electoral processes and so informs the planning process.

An important part of the electoral cycle is the Gazetting of the relevant proclamation. On the 19th September 2014, His Excellency, President Hifikepunye Pohamba, in terms of section 50(1) (b) of the Electoral Act, 1992 (Act No. 24 of 1992), proclaimed through Government Gazette No 5587 that:

- (a) For the election of a President, pursuant to Article 28 of the Namibian Constitution, read together with section 49(1)(a)(i) of that Act, and
- (b) For the election of members of the National Assembly, pursuant to Article 46 of the Namibian Constitution, read with section 49(1)(b)(i) of that Act, that

Friday, 28 November 2014 as the date upon which a poll shall take place, from the hours 07h00 to 21h00, for the election of a President as well as for the election of members of the National Assembly.

The President further determined 29 October 2014 as the date on which the submission of nominations of candidates for election to the office of the President takes place at a public sitting to be held by the Chairperson of the Electoral Commission at Elections House, 67-71 Van Rhijn Street, Windhoek-North, from 09h00 until 11h00; and as the last day on which political parties that intend to participate in the election for members of the National Assembly, submit a written list of candidates nominated with a view to filling of any seats in the National Assembly to which such political parties may become entitled.

Such a report is thus an absolute necessity as it provides a candid and honest account of all the relevant facets of the completed election process encompassing the critical activities executed during the pre-election, the actual polling and post-election period. The report does not only highlight the successes and the milestones achieved, but also details the shortcomings and challenges experienced, with a keen



understanding of the root causes of such problems, with a view to improve and enhance business processes in the next election phase of the continuous electoral cycle.

This report therefore provides a visual timeline starting with the work of the Delimitation Commission in 2012 followed by the nationwide 2013 General Voters Registration until 2014 when the Presidential and National Assembly elections were delivered.

## ACKNOWLEDGEMENT

The Akan people of Ghana have the following proverb: *adwen wotua tua*, which translates as “wisdom is pieced together from the insights of several people.” In tandem with this proverb, the ECN set up an in-house drafting team to ensure that all aspects of the electoral process are adequately reflected in the report.

The persons who played a role during the respective drafting stages of this report were: Ms Hilda Nakakuwa, Mr Jesse Munashimwe, Mrs Elizabeth Swartz, Ms Vikitoria Hango, Mr Theo Mujoro, Adv. Heidi Jacobs, Mr Petrus Shaama, Mrs Kachana Kamwi-Homba, Mrs Rosina Naukushu, and Prof Paul John Isaak. Mr John Nakuta was contracted for the final compilation of the report. Without the commitment and selfless work of each of these persons the completion of this self-assessment exercise would not have been possible. We are indeed endlessly thankful for their dedication, interest and sense of national duty to complete this assignment under heavy time pressure.

The final product was reviewed and endorsed by the Commissioners of ECN. The role played by the Commissioners in the actualisation of this report is hereby acknowledged and much appreciated.



*Backrow: from left to right, Mr. Ulrich Freyer, Mr. Barney Karuoombe, Mr. Nespect Salom  
Front row: from left to right, Adv. Notemba Tjipueja (Chairperson) and Ms. Albertina Nangolo*

## EXECUTIVE SUMMARY

The use of ICT technologies in the election process also included the biometric mobile Voter Registration Kits (VRKs) system to digitally capture biometric data of applicants during the registration process and the hand-held Voter Verification Devices (VVDs) to authenticate voters at polling stations during the polling process.

Presidential and National Assembly elections in Namibia are conducted under the rubric of the Namibian Constitution and the Electoral Act.

Further to the constitutional amendments of 2014, the Electoral Commission of Namibia (ECN) is now a constitutional entity, answerable and subject only to the Constitution and the laws governing its activities and procedures. The ECN is the sole institution mandated to organise, direct, supervise, manage and control the conduct of national elections in the country. The ECN is further obligated to discharge this public function in a free, fair, independent, credible, transparent and impartial manner. The 2014 Presidential and National Assembly Elections were conducted under this mandate and in strict adherence to these precepts.

The Namibian Constitution and the Electoral Act (No. 5 of 2014) provides the legal framework for the conduct of Presidential and National Assembly elections in the country.

The Namibian Constitution recognises and guarantees a range of election related fundamental human rights and freedoms. The Constitution obliges the Electoral Commission of Namibia (ECN) as an organ of state respect, protect and fulfil these rights. It further imposes a duty on the ECN to, at all times, act within the confines of the law, fairly and reasonably in the execution and furtherance of its mandate. The Constitution also governs the eligibility and criteria of candidature for the position of President and members of the National Assembly, the election systems used in these polls, the number of seat in the National Assembly, and the determination and allocation thereof s, amongst other things.

The new Electoral Act (No. 5 of 2014) was promulgated and implemented shortly before the elections. The Act introduces various innovative initiatives into the electoral process. It is, however, regrettable that the Act was promulgated so close to the polling date. This placed tremendous pressure on and presented serious administrative challenges to the ECN. This notwithstanding the process of implementing the Act at the end went smoothly.

The 2014 Presidential and National Assembly Elections coincided with the 10 year cycle for the compilation of a new general voters' roll. To kick-start this process, a three (3)-person Delimitation Commission was appointed in January 2013. The Delimitation Commission presented their report to the former President by the end of June 2013. Following the announcement and changes made to regions and constituencies the ECN embarked on a vigorous General Registration of Voters (GRV) campaign to encourage all eligible voters to register. Namibians, especially young persons, came out in big numbers

to register and voters. A lot of work, in the form of civic and voter education, was put into this campaign which ensured its success.

The 2014 Presidential and National Assembly elections, indeed, generated huge interest and excitement amongst the Namibian electorate. Nine (9) candidates contested the Presidential election. Also, a record number of 16 political parties participated in the National Assembly elections. The campaigns period was largely peaceful and political parties and their supporters displayed high levels of tolerance towards each other. All the contesting candidates generally adhered to the Code of Conduct for political parties.

28 November 2014 was declared as Election Day. The day was also declared a public holiday so as to allow the voter population to exercise their suffrage.

A high voter turnout and long queues were observable throughout the country on Election Day. Encouragingly, a high number of young people participated in the elections. A voter turnout of 72 per cent was recorded. The elections were generally conducted in a very peaceful and tolerant atmosphere.

Some administrative glitches were experienced during the election process especially at the start of polling. Challenges were particularly experienced with the handling of the Voter Verification Device. This resulted in delays in the verification of voters. This problem was mainly due to human error and not necessarily the devices themselves.

The Electronic Voting Machines (EVMs) on the other hand, operated very well and accurately recorded the votes. The EVMs equally fast tracked the time spent at the voting stage.

The outcome of the general elections was announced on the 1<sup>st</sup> of December 2014. Dr. Hage Geingob of the SWAPO Party of Namibia won the Presidential elections with an overwhelming majority. Only ten (10) out of the 16 political parties which contested the National Assembly elections won seats in this House. SWAPO Party of Namibia scooped 77 out of the 96 seats.

The elections were observed by several foreign and domestic observer missions. All the observer missions hailed the peaceful, violent-and-intimidation-free atmosphere within the elections were conducted. They also described the elections as free, credible, and transparent.

The Commission conducted several in-house post-mortems of the 2014 general elections. Some important insights were gained from these post-mortems. The recommendations made in the report are mainly drawn from these post-mortems and are aimed at improving the law, the institution and the system for delivering efficient, credible and transparent elections.

## CHAPTER ONE: PRE-ELECTORAL PHASE

The Electoral Act No 5 of 2014 defines the pre-election phase as the period prior to polling day. To assess the pre-election phase in its entirety, this section gives a brief assessment of the legal framework governing Presidential and National Assembly elections, the election system, election administration, voter registration, and the election campaign.

### 1. LEGISLATIVE FRAMEWORK

The Namibian Constitution and the Electoral Act No.5 of 2014 provide the legislative framework for the conducting of Presidential and National Assembly elections. These two legal instruments thus primarily guide the conduct and delivery of these elections.

#### 1.1 The Constitution

##### (i) Fundamental Rights and Freedoms

An electoral process cannot be separated from the electorate's right to vote and a range of other fundamental rights and freedoms. To be credible, elections must take place in a conducive political environment and atmosphere that promotes equality, freedom of choice, the secrecy of vote and respect for human dignity. The Namibia Constitution, which is the supreme law of the Republic, recognises these truths. It provides for, and guarantees various fundamental rights and freedoms of the citizens to participate in elections.

Article 17, for instance, guarantees to every citizen the right to political activity, which include the right to form and join any political party of one's choice, the right to vote (if 18 years or older), and the right to be elected to public office (if 21 years or older). Article 21, on the other hand, guarantees various freedoms recognised in a constitutional democracy and considered cardinal to elections. These include the freedom of expression, freedom of assembly, freedom of association, and freedom of movement. Article 22 provides that the enjoyment of these rights and freedoms may only be restricted or limited if authorised by a law of general application and for compellingly good reasons. These rights and freedoms are also absolutely entrenched in terms of article 131 of the Constitution.

##### (ii) Administrative Justice

The ECN, as a state institution, is bound to observe the principles of administrative justice as guaranteed under article 18 of the Constitution. In terms of this article, all decisions taken in pursuit of the entire electoral process should be taken lawfully, fairly and reasonably. Moreso, persons aggrieved by decisions taken by officials from the ECN have the right to approach a competent court or tribunal for redress. The creation of Electoral Tribunals and Electoral Court to handle elections disputes in terms of the new Electoral Act should be seen as giving expression to the obligation to respect and fulfil the principles of administrative justice in the electoral process.

### (iii) Constitutional Mandate

The ECN, in terms of article 94B, made pursuant to the 2014 constitutional amendments, is now a constitutional entity. This article establishes the ECN as the exclusive body to direct, supervise, manage and control the conduct of elections and referenda in the country. The ECN is further established as an independent, transparent and impartial body and subject only to the Constitution and the law.

## 1.2 The Electoral Act No.5 of 2014

Elections were previously conducted under the Electoral Act No.24 of 1992. This Act has been amended several times. In fact, in 2011 the High Court of Namibia stated the following about the number of amendments made to the previous Act:

*“...the law is very scattered...[this is] an unsatisfactory state of affairs and something must be done [about it] as a matter of urgency ...before the next round of elections, to consolidate the electoral law of Namibia.”*

Subsequent to this judicial injunction a new Electoral Act, 2014 (Act No. 5 of 2014) was eventually promulgated. The new Act was gazetted on 8 October and became operational on 17 October 2014, shortly before the Presidential and National Assembly elections.

The new Electoral Act, mandates the Electoral Commission of Namibia are to organise, direct, supervise, manage and control the conduct of elections and referenda in a free, fair, independent, credible, transparent and impartial manner. It further obliges the ECN to strengthen constitutional democracy and to promote democratic electoral and referenda processes. The new Electoral Act introduces several innovative initiatives into the Namibian electoral landscape.

The following are some of the key outstanding changes introduced by the 2014 Electoral Act:

- The introduction of one (1) polling day for all kind of elections in Namibia;
- Establishment of **Electoral Tribunals** at each Regional Magistrate Court to adjudicate and decide on electoral disputes arising prior to polling day;
- The establishment of an **Electoral Court** as a division of, and with the status of a High Court which is to preside over appeals against Electoral Tribunal decisions, all post-election matters; it is also the competent Court to review ECN decisions; to hear allegations of contraventions of the Act; and to give the interpretation of any law relating to electoral issues;
- In terms of the new Electoral Act all **presidential electoral challenges** are now to be instituted in the Supreme Court; this Court is now thus the court of first instance and final recourse for presidential electoral challenges; importantly, all such matters are to be heard on an urgent basis.

- Disputes lodged with the Electoral Tribunal and the Electoral Court must be resolved with due avoidance **of strict formalities, within clearly defined times frames**, and, generally, with no costs order against a losing party, unless special circumstances so dictate.
- The introduction of the use of an **Occurrence Book** which is to be kept at every registration point, polling station, and collation centre and in which all complaints, dissatisfactions and incidents are to be recorded and signed.
- The establishment of Collation Centre in each constituency throughout the country to verify and collate results.

The promulgation and implementation of the new Electoral Act, less than two months before the elections, caused several administrative challenges for the ECN.

### 1.3 ELECTORAL SYSTEMS & BOUNDARIES

#### 1.3.1 Electoral Systems

The Namibian electoral law provides for different systems for electing representatives through democratic elections conducted at three levels, namely, national, regional and local.

The Presidential elections are conducted every five years and the presidential candidate is elected for a maximum of two five-year terms. A person may be nominated as a presidential candidate by a registered political party or may contest as an independent candidate provided his/her nomination is supported by at least 500 registered voters per region. Presidential elections are conducted in accordance with the majoritarian system in terms of which the winning candidate must garner more than 50 per cent in order to be declared a winner.

Candidates for the National Assembly are elected for a five-year term through the proportional representation (PR) system, drawn from a party list as submitted by the political parties contesting in the elections.

Neither the Constitution nor the Electoral Act makes allowance for independent candidates to contest in the National Assembly elections. The African Union Election Observer Mission (AUEOM) pointed out that this legal void is against the judgement of the African Court on Human and People's Rights (ACHPR) and also incompatible with the of the provisions of the African Charter on Human and Peoples' Rights (ACHPR)s.



### 1.3.2 Boundaries

The Constitution provides that the boundaries of regions and constituencies may be changed from time to time and that new regions and constituencies may be created from time to time. Such changes can, however, only be done in accordance with the recommendations of the Delimitation Commission (now called the Boundaries Delimitation and Demarcation Commission). Further to this, the former President, His Excellency Hifikepunye Pohamba, commissioned the fourth Delimitation Commission in January 2013 to perform this constitutional function. The Commission submitted its report to the President in June 2013. The Delimitation Commission recommended that:

- An additional region be created (splitting the previous Kavango Region into two i.e. Kavango East and Kavango West);
- The Caprivi Region be renamed as the Zambezi Region;
- Fourteen (14) new constituencies were created; and
- The boundaries of eleven (11) constituencies were adjusted.

Following the work of the Fourth Delimitation Commission and, in preparation for the Presidential and National Assembly elections, the ECN undertook a major project, namely the clarification of boundaries of regions and constituencies. It was considered absolutely imperative to facilitate the conduct of elections, because the ECN conducts elections within predefined borders for the various constituencies and political regions of the country.

## 1.4 BUDGETING, FINANCING & PROCUREMENT

The ECN enjoys full financial autonomy as a state institution. The ECN received N\$369,180,000 from the fiscus to cover the expenses of the 2014 Presidential and National Assembly. All procurement of registration as well as election materials was done by following laid down procedures, e.g. through annual Tender Board Exemption and some through tendering process. Preliminary figures indicate that the total expenditure recorded as at 31 March 2015 stood at N\$355,452,258.00.

It is worth pointing out that some of the challenges experienced during the tendering and procurement processes. These processes are generally cumbersome. This invariably delays and adversely affects the entire electoral process. For example, during the elections under review it led to the late delivery of some of the election materials such as the VVDs and EVMs. The need to streamline these processes to ensure that the procurement, tender invitations and awarding of tenders are completed in good time to avoid late deliveries in the future is long overdue and beyond dispute.

## 1.5 RECRUITMENT

The recruitment of temporary staff was done under section 24 of the previous Electoral Act, Act 24 of 1992. This was necessary because the recruitment process commenced much earlier before promulgation and implementation of the new Act was promulgated and came into force.



The Supplementary Registration of Voters (SRV) for the 2014 Presidential and National Assembly elections was conducted during the period 8-20 September 2014. A total number of 3, 495 registration officials were recruited to execute this aspect of the electoral process. For the polling process, which took place on one day only, 28 November 2014, a total of 12 876 electoral officials were recruited. These officials performed their electoral duties at 1,386 fixed polling stations and 2,586 mobile ones throughout the country. The recruitment statistics are represented in the table below:

<b>POSITION</b>	<b>NUMBER OF OFFICIALS</b>
Regional Coordinators	14
Assistant Coordinators	28
Returning Officers	122
Polling Official	10 485
IT-Field Support technicians	132
IT- VRS Coordinators (HQ)	14
Presiding Officers	2 081
<b>TOTAL</b>	<b>12 876</b>

*Source: ECN, 2014*

The ECN Human Resource (HR) office has incorporated wellness issues into the training programmes. Further to this, presentations on healthy life style in the work place were made together with information regarding the condition of service and other Human Resource issues.

## **1.6 TRAINING AND PREPARATION OF ELECTION OFFICIALS**

The training of election officials for the Presidential and National Assembly elections, at regional and constituency levels, started with a one (1) week training of the regional managers, i.e., the Regional Coordinators and Assistant Coordinators during the period 21-25 October 2014. The training was conducted by ECN Head Office staff. This was followed by another one (1) week training of Constituency Supervisors, the Returning Officers, which was conducted over the period 1-7 November 2014 by officials from ECN Head Office.

The training for 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 training in the respective regions. The training at this level was conducted by Returning Officers and supervised by the Regional Coordinators during the period 19 - 25 November, while further training for Presiding Officers and their Assistants took place on 26 November 2014.

A total number of 10,485 polling officials and 2,081 Presiding Officers were trained on all aspects of the polling process, including their respective duties and responsibilities of polling officials, theory and legal provisions of the Electoral Act as well as the technical and practical training on handling and operating various equipment and devices. Most of the practical training focused on the Electronic Voting Machines (EVMs), Handheld Voter Verification Devices (VVDs), Administrative forms (Elect Forms) and the counting process (Tabulator).

Regrettably, insufficient aids such as EVMs, Printers, Voter Verification Devices (VVDs) and writing pads were provided to the large numbers of trainees who attended. The one (1) week training period allocated for training was also found to be inadequate.

## 1.7 Voter Registration

As a statutory requirement, the ECN completed a highly successful General Registration of Voters (GRV) from 15 January to 2 March 2014. The GRV was conducted in terms of the Electoral Act, Act 24 of 1992. The law requires the ECN to conduct the GRV every 10 years in order to compile a new voters' register. The GRV exercise coincided with the General election year.



**Figure 1: Training of Registration Officers on the use of Registration Kits during the GRV.**

The GRV resulted in a record turnout of 93 per cent for voter registration of the Namibian electorate. This puts Namibia above the SADC Region average of around 85 per cent.

A Provisional Voters' Registers (PVR) was produced and was followed by an objection period whereby stakeholders and the general public were afforded the opportunity to scrutinise the PVR for the possible inclusion of objectionable names and details in the provisional voter's register in terms of the Electoral Act. The objection period was between 3-30 April 2014 and no objections were lodged. At the end of this process the final Voters Register stood at 1,161,383 voters.

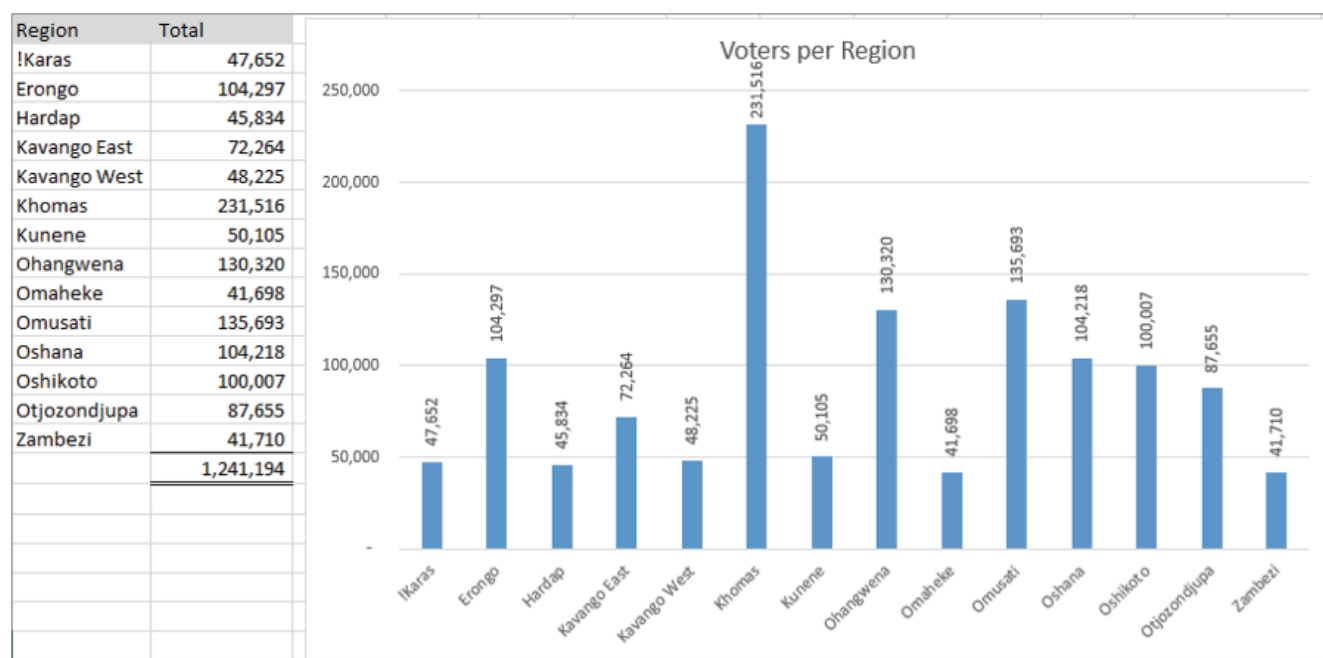
The ECN introduced a new biometrics voter's registration system to enhance the GRV. With this new system of voter's registration, the ECN was able to detect duplicates using the latest Automated Fingerprint Identification System (AFIS). Taking advantage of this software, the ECN made a decision to allow voters to change their details during the Supplementary Registration of Voters (SRV) which was conducted from 8 to 20 September 2014. During the SRV process a total of 118,383 voters registered. Of these, 84 987 were new applicants and 33,396 were voters making corrections to their details.

At the conclusion of the GRV and the supplementary registrations, the total number of registered voters increased to 1, 241,194. In total, there were 657, 751 female registered voters and 583, 443 male registered voters.

## Statistical Representation

### 1. Registered Voters by Region

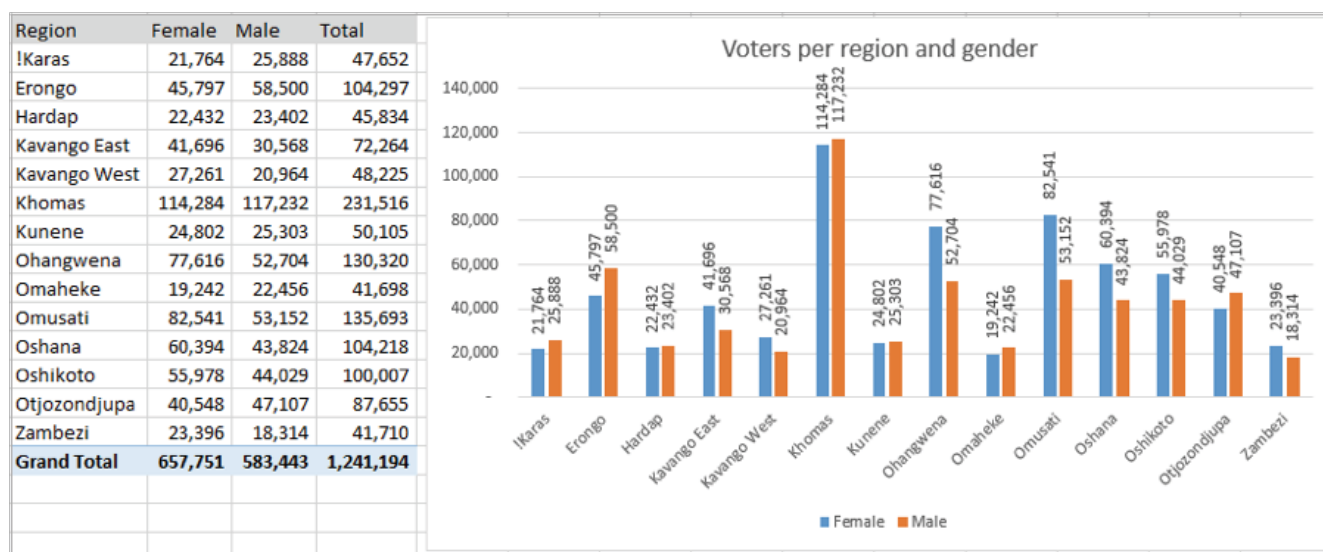
The registered voters are broken down by region with a column graph indicating differences in number and the pie chart indicating percentage of the total number of voters registered.



Source: ECN, 2014

## 2. Gender per Region

The Gender breakdown indicates the relationship between the genders in the make-up of a regional total.

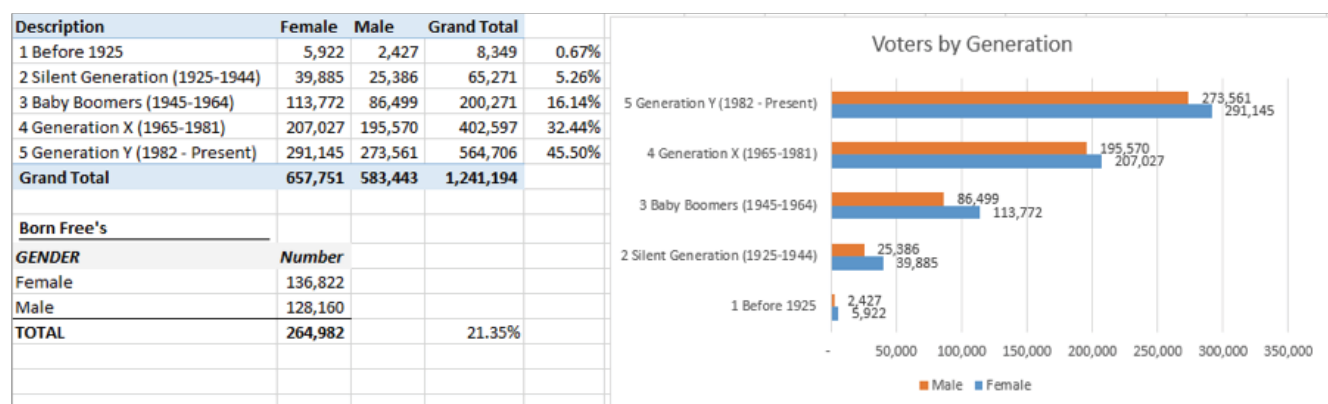


Source: ECN, 2014

## 3. Registered Voters by Generation

The registered voters are shown per the year in which they are born. Of interest is that the largest percentage of registered voters fall in the age group 18-32 and they make up 45.50% of the electors.

The “born-frees” (born after 21 March 1990), made up 264,982 or 21.34% of registered voters.



Source: ECN, 2014

The three regions with the highest voters registered voters were Khomas (231, 516); Omusati (135,693), and Ohangwena (130, 320). The regions with the lowest number of registered voters were Hardap (45, 834); Zambezi (41, 710), and Omaheke (41, 698).

The following trends can be gleaned from the voters registered in terms of the generational mix: Those born before 1925 were 0.67 per cent; Silent Generation (1925-1944) was 5.26 per cent; Baby Boomers (1945-1964) were 16.14 per cent; Generation X (1965-1981) was 32.44 per cent and Generation Y (1982-present), including the born-frees was 45.50 per cent. In short, the electorate of Namibia is comprised of more young people than any other age group.

## 1.8 VOTER AND CIVIC VOTER EDUCATION

Voter and Civic Education (VE) is a very crucial and a key element of democracy as it equips the public and particularly prospective and registered voters with the right education and information to partake in electoral processes. The Electoral Act mandates and empowers the ECN to be the custodian of voter education. The ECN is not only mandated to carry out voter education but also to accredit other juristic persons and credible institutions to conduct civic and voter education. This is to ensure that the public is well informed to make informed choices during any given electoral process.

A successful voter education program ensures that voters are ready, willing, and able to participate fully in the election process. Voter education is essential to ensuring voters are well-informed and can effectively exercise their voting rights and express their political will during the elections.

In execution of this mandate and in preparation for the 2014 Presidential and National Assembly elections the ECN embarked upon the following specific activities:

### 1.8.1 Media Workshop:

ECN organized and conducted a media workshop in Swakopmund during the period 6-9 May 2104. All media houses such as newspapers, television stations, and radio stations including community and private radio stations were invited. Apart from informing the public and electorate in particular, the media also act as a watchdog in the electoral process, safeguarding the transparency and credibility of the electoral process. This can only be achieved if the media is well acquainted with the context as well as the legal framework under which elections are to be conducted.

This said training workshop was accordingly organised to introduce the media to the electoral process, laws and regulations governing the two set of elections. All the activities were done with the view to aid accurate, easy and informed reporting on electoral issues.



**Figure 2: Media Practitioners Trained on the Web-based Election Result**



## 1.8.2 Refresher Workshops

During the period 19 May to 13 June 2014 a series of refresher workshops were conducted for voter education officers, political party representatives, civil society organisations, including youth organisations. During these workshops targeted groups were introduced to the various electoral processes in preparation for the Presidential and National Assembly elections. The workshops were conducted in 4 different venues and in each venue 50 participants attended.

Participants were also introduced to the Namibian Constitution, its relationship to democratic elections and the Electoral Act. Participants were further trained on the use and application of the voter education booklet that outlines the Voter Education Curriculum and the Voter Education Facilitation Guide that was developed by ECN in consultation with some stakeholders. In addition, participants were re-introduced to the EVM for reinforcement and reassurance of its credibility as it will be used during the elections.



**Figure 3: Question and Answer session during the Electoral Symposium**

These workshops were very productive as partnerships in ensuring credible elections were cemented. Thereby, doubts and suspicion of the execution of electoral processes by ECN were eliminated.

### 1.8.3 Disability Mainstreaming Workshops

The aim of the workshop was to ensure that issues of people with disabilities (PWDs) are part of electoral activities as ECN prepares for the Presidential and National Assembly elections. In this workshop, people with disabilities were engaged on various topics which included elections and human rights, citizens' roles and responsibilities, multiparty democracy and political participation. PWDs raised a host of issues they regard as crucial in ensuring their inclusion as active partners and/or participants in the electoral process. They were also introduced to the voter education booklet, voter education facilitation guide, and the EVM.



**Figure 4: Voter Education for PWD**

It is worth highlighting that the ECN Division took the steps of ensuring that all voter education materials produced for the Presidential and National Assembly elections are also translated into Braille, audio for the visually impaired and in audio-visual and Sign Language for the hearing impaired.





**Figure 5: ECN Officials doing Civic and Voter Education**

#### **1.8.4 Youth Participation**

In 2014 the ECN embarked on, what it dubbed the **“STOP WAITING CAMPAIGN”**- a comprehensive awareness-raising strategy which was aimed at encouraging young people to register as voters during GRV period. This campaign was aimed at educating and encouraging young people to actively participate in the 2014 Presidential and National Assembly elections.

During the month of October 2014 road shows in the form of edutainment were staged as part of the voter education exercise. These roadshows were primarily aimed at enticing the youth, people with disabilities and the general public to participate in the electoral process. The ultimate objective of this outreach was to spread the message about the upcoming national elections, and importantly, the use of the EVMs during these elections. The strategy, undoubtedly proved successful as can be seen from the high number of 45.5 per cent of young people who registered during the GVR and SVR processes as well as the visible number of young persons who turned up to vote on 28 November 2014.





**Figure 6: Reaching out to the Youth**

### **1.8.5 Demonstrations of Voting with the EVM in the Communities**

Intensive voter education sessions for the Supplementary Registration of Voters were undertaken during the period of 8 – 20 September 2014 in all the 14 regions. Voter education officers were required to compile lists of all the communities to be visited and introduced to the EVM in each constituency. This database has been of great assistance and served as a monitoring and management tool. Through this, the ECN gained an impression and insight on how far the EVM demonstrations have reached. It also assisted in identifying areas for providing regional support and re-enforcement. In total 10,031 places were listed countrywide to be visited before voting day, 28 November 2014. By 24 November a total number of 9,333 places were visited. This represents a 93 per cent coverage rate. It is worth noting that no single report was received citing any voter being unable to use the EVM on voting day.





**Figure 7: EVM Simulation at Bukalo**



**Figure 8: Demonstrating the use of EVMs at Otjinene**



### 1.8.6 Media

The media, be it print, radio, TV and social media were aggressively used to complement face-to-face sessions. ECN website was populated with all produced print, audio and audio-visual materials and was a hit amongst the youth and other tech lovers. For example NBC and all community and private radios were roped in to provide voter education and information-sharing. These platforms were also used to announce venues where face to face VE and EVM demonstrations were taking place countrywide.

### 1.8.7 Distribution of Voter Education (VE) Materials at Public Places

VE materials including flyers and posters on the EVM were deposited and distributed at various public places such as regional council offices, constituency offices, schools, hospitals and clinics country wide. Shopping malls were also used as distributing centres as well as to provide face to face VE. The general public was also requested through the media to collect VE materials from ECN regional offices as well as the ECN Election office. The response to all these modes of outreach was generally overwhelming and well received. It is worth noting that some private individuals also took it upon themselves to distribute EVM materials. Such goodwill is indeed highly applauded and appreciated.

The strategies employed to implement VE for the 2014 Presidential and National Assembly elections were a great success. In this regard, the role played by regional voter education officers, the youth ambassadors and everybody who participated as a voter educator cannot be over emphasised. All these officials provided sterling work and services under difficult and strenuous conditions. A special appreciation is also extended to the Ministry of Information and Communication Technology for availing their Regional Information Officers, some of their vehicles to be used for VE without any costs implications for the ECN.



**Figure 9: EVMs at trade fair**

An aspect which negatively impacted on, the otherwise successful Voter and Civic Education campaign for the 2014 Presidential and National Assembly elections, relates to the Voter Verification Devices (VVDs). Voters were, admittedly, not timeously informed and adequately educated on the VVDs. This was mainly because these devices were received shortly before the actual elections from the South African company which was awarded the tender to provide them. This, needless to say, is highly regrettable.

It was practically impossible to reach each and every one of the registered voters (1, 241,194) during the civic and voter education on the EVMs and other electronic devices to be introduced during the 2014 general elections. However, every effort was made to identify accessible and convenience public places throughout the country to educate the general public on the use of EVMs. Concerted efforts were made to impress upon registered voters to attend the voter education campaigns in their respective regions and constituencies. The ECN is proud to report that the voter population generally responded positively to this call. In addition, ECN had produced both print and electronic electoral materials on EVMs, including in local languages, in an attempt to reach out to as many voters as possible.

## **1.9 Accreditation of Observers and Media**

Election observation is a valuable tool for improving the quality of elections. Observers help build public confidence in the integrity of electoral processes. Observation can help promote and protect the civil and political rights of participants in elections. It can lead to the correction of errors or weak practices for any future election of a particular country. It further serves to deter manipulation and fraud, or expose such problems if they do occur. When observers can issue positive reports, it builds trust in the democratic process and enhances the legitimacy of the governments that emerge from elections. Election observation by domestic groups encourages civic involvement in the political process. Following elections, reports and recommendations by observer groups can lead to changes and improvements in national law and practice and securement of free, fair, and credible elections.

In keeping with international best practice and the provisions of the Electoral Act, the ECN extended invitations to both foreign and local election observers to apply for accreditation to observe the 2014 Presidential and National Assembly elections.

The accreditation of election observer missions was done over the period September to November 2014. A total number of thirteen (13) observer missions were accredited for the 2014 general elections. Six (6) of these were foreign observer missions and seven (7) were local observation teams respectively.

<b>FOREIGN OBSERVATION MISSIONS</b>		
<b>Number</b>	<b>Name of Observation Mission</b>	<b>Size of Observer Team</b>
1	African Union Election Observation Mission (AUEOM)	55
2	SADC Election Observation Mission (SEOM)	109
3	SADC Parliamentary Forum Election Observation Mission	40
4	Electoral Commissions Forum of SADC Countries (ECF-SADC)	45
5	University of South Africa (UNISA)	2
6	University of Freiburg, Germany	1
<b>DOMESTIC OBSERVATION TEAMS</b>		
1	European Union of Namibia	29
2	Institute for Public Policy Research (IPPR)	10
3	Friedrich Ebert Stiftung	3
4	Konrad Adenauer Foundation	1
5	Embassy of the United States of America	21
6	Namibia Institute for Democracy and NANGOF Trust	306
7	Embassy of Zimbabwe	8

Source: ECN, 2014

Most of the observation missions submitted their preliminary statements to the ECN. Observation missions were unanimous in their acknowledgement of the peaceful manner in which the elections were conducted. On the whole, notwithstanding some administrative and procedural glitches, most of the observation missions declared the 2014 Presidential and National Assembly elections free and credible. The ECN shall endeavour to give due consideration to the observations and recommendations of the various observation missions as contained in their reports with the view to improve electoral processes.

## **1.10 ELECTORAL CAMPAIGNS**

Elections in Namibia have historically been peaceful, without any major incidents of violence or intimidation before, during and after the elections. In this regard, the campaign period of the 2014 elections was no exception in this regard. The existence of an enforceable Code of Conduct for political parties is often cited as one major contributing factor which ensured that the electoral campaigns and political rallies were generally conducted in a peaceful and tolerant manner. The Electoral Act stipulates that all political parties must adhere to the Code of Conduct developed by the ECN. The ECN has also been hailed for conducting the planning and logistics towards the Election Day in a professional and effective manner.

It is worth noting, that the Namibian Broadcasting Corporation (NBC), during the 2014 general elections campaign period, for the first time, availed equal and free broadcast time to all political parties participating in the elections on its television and radio services. In previous elections, airtime was allocated proportionally according to the party's representation in the National Assembly. This approach excluded a number of smaller parties without seats in parliament. It is also important to note that the allocation of broadcast airtime was done voluntarily by the NBC, in the absence of any legal obligation to do so.

## **1.11 Logistics**

Logistics planning is the essential support functioning for ensuring that equipment, staff, and communications methods are in place in time for the successful conduct of the entire electoral process. The section briefly highlights some of the daunting logistical challenges the ECN had to surmount to deliver the 2014 Presidential and National Assembly elections in the most efficient, transparent and credible manner possible.

### **1.11.1 Election Materials and Distribution**

A large number of mobile polling stations were established during the election. The use of mobile stations is to ensure coverage of all registered voters across the country, especially those in remote areas, correctional facilities and in hospitals. The ECN subscribes to, and is committed to affording every voter the opportunity to participate in the democratic process to choose his/her representatives in government. Mobile voting station is one of the most tangible ways of actualising this ideal/objective.

The testing out of new technologies introduced during the elections was considered very important. In this regard, the by-elections conducted during the course of 2014 were used as trial rounds for the biometric Mobile Voter Registration Kits (VRKs) used in the registration process and the EVMs used in polling process. The testing was crucial not only for the successful implementation, but also to engender public confidence ahead of Election Day.

It is common knowledge that challenges were experienced with the handling of the VVDs, especially at the start of the polling process. However, it is worth reiterating, as was pointed out by the Chairperson of the Commission, Adv. Notemba Tjipueja, during the official announcement of the results, that the problems experienced in this regard were mainly due to how the devices were handled, and not necessarily the devices itself. The ECN is committed to address the challenges experienced in the use and operation of the VVDs in all future elections.

### **1.11.2 Distribution of Election Material**

In preparation for the 2014 national elections, the ECN established a total number of 3, 972 polling stations (1, 386 fixed polling stations and 2, 586 mobile stations) countrywide. This called for a massive logistic planning to ensure that the election materials were distributed in good time to all the polling stations. Most of the election materials were distributed in time.

The late delivery of election material is a major problem which has a serious negative chain impact on the planning and implementation of the various electoral processes. This, in most instances, is mainly caused by the tedious procurement process, including the tendering process. The ECN management, the Secretariat and the Commission took note of the issues in the tendering process which can potentially derail the electoral process. Efforts are under way to streamline the procurement process and procedures. Key amongst these is to address the timing and awarding of tenders to avoid late delivery of election material in the future.

### 1.11.3 Transport

On transport logistics it was reported that approximately 2 080 vehicles would be required during the elections. The ECN accordingly engaged government institutions and the private vehicle owners to secure the required fleet of vehicles.

Two regions did not make use of the private vehicles, namely Khomas and Otjozondjupa regions because these regions were provided with enough government vehicles. The distribution of vehicles to the remaining 12 regions was as follows:

Region	Total Teams	Mini mum Vehicles Required	Vehicles Secured (GRN)	Private Vehicles Secured			Total Vehicles Secured	Daily Rate (N\$)		No. of Days	Anticipated Expenditure (N\$)		
				4x4	2x4	Total		4x4	2x4		4x4	2x4	Total
!Karas	87	86	31	10	8	18	49	1,200	1,000	5	60,000	40,000	100,000
Erongo	93	92	58	12	0	12	70	1,200	1,000	5	72,000	-	72,000
Hardap	73	72	39	28	11	39	78	1,200	1,000	5	168,000	55,000	223,000
Kavango East	141	140	36	30	29	59	95	1,200	1,000	5	180,000	145,000	325,000
Kavango West	161	160	39	46	52	98	137	1,200	1,000	5	276,000	260,000	536,000
Khomas	162	161	161	0	0	0	161	1,200	1,000	5	-	-	-
Kunene	141	140	74	14	25	39	113	1,200	1,000	5	84,000	125,000	209,000
Ohangwena	236	235	90	77	39	116	206	1,200	1,000	5	462,000	195,000	657,000
Omaheke	119	118	73	9	31	40	113	1,200	1,000	5	54,000	155,000	209,000
Omusati	235	234	78	65	90	155	233	1,200	1,000	5	390,000	450,000	840,000
Oshana	174	173	72	44	30	74	146	1,200	1,000	5	264,000	150,000	414,000
Oshikoto	187	186	87	62	33	95	182	1,200	1,000	5	372,000	165,000	537,000
Otjozondjupa	155	154	154	0	0	0	154	1,200	1,000	5	-	-	-
Zambezi	116	115	54	34	24	58	112	1,200	1,000	5	204,000	120,000	324,000
<b>Grand Total</b>	<b>2080</b>	<b>2066</b>	<b>1046</b>	<b>431</b>	<b>372</b>	<b>803</b>	<b>1849</b>				<b>2,586,000</b>	<b>1,860,000</b>	<b>4,446,000</b>

**PNA Transport needs 26-30 November 2014**

*Source: ECN, 2014*

A total amount of N\$ 4,446, 000 was spent on the hiring of private vehicles from the general public.

ECN is indeed indebted to all private individuals who availed their vehicles to the Commission during the 2014 general election period. Their generosity ensured the provision and availability of a sufficient number of vehicles before, during and after the elections.

Sincere gratitude and appreciation is extended to all the Offices, Ministries, and Agencies (OMAs) of the Government of the Republic of Namibia as well as the private citizens who provided their private vehicles. These levels of assistance and cooperation ensured that no transport related problems were experienced on Election Day.

Finally, the only actual transport challenge experienced was in the area of special transport needs, such as boats and helicopters. Such requests were generally communicated late to ECN Head Office by the regions and constituencies in need of such services. Needless to say, advance and proper planning will have to be done regarding the use helicopters and boats in all future electoral processes.

#### **1.11.4 Printing of EVM Ballot Papers and Printing of Traditional Ballot Papers**

The introduction of electronic voting 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 at a polling station. This translated into significant cost savings, less logistical planning and security concerns regarding the transportation and safe keeping of ballot papers.

The tender for the printing of the EVM ballot papers and traditional ballot papers were awarded to Solitaire Press. A total number of 2 600 EVM ballot papers were printed for the 2014 Presidential election and a total of 7 200 EVM ballot papers were printed for the National Assembly election. At the same time voters abroad did not vote on the EVMs and consequently the ECN also printed traditional ballot papers. A total of 9 000 traditional ballot papers were printed for the 2014 Presidential election and a total of 9 000 traditional ballot papers were also printed for the National Assembly election.

#### **1.11.5 First Level Checking and Preparation of Electronic Voting Machines**

The First Level Checks (FLC) of the EVMs was conducted in terms of the regulations governing the use of EVMs as well as the contractual obligation between ECN and Bharat Electronics, the supplier company of the EVMs from India. In terms of the EVMs regulations and the contract obligations, the FLC is performed by engineers from the supplier and it must take place at ECN offices.

Preparation of EVMs took place from 7-13 November 2014. It became apparent that the complexity and the time it took to prepare an EVM machine were grossly underestimated. As a result, the preparation and deployment of the EVMs was done too late. This situation caused the Commission not to deploy EVMs at overseas polling stations. This notwithstanding, it was logistically impossible to do otherwise because it takes at least two weeks to dispatch election materials, including EVMs to all the diplomatic missions abroad.



Two views have been advanced as a solution to address this matter in future, namely, (1) that the EVMs should be prepared centrally at the ECN head office by the returning officers and (2) that each returning officers should prepare his/her own EVMs in their respective regions or constituencies. The ECN is currently weighing the pros and cons of these two options.

Furthermore, it should be noted that there was an element of FLC done by the registered political parties with the ECN. The agreement between the ECN and the political parties were that each political party shall be free to come with its own technician to check all the aspects of the EVMs under the supervision of the ECN. The intention of such agreement was to enhance transparency and to remove any suspicion about the EVMs on part of the political parties.

### 1.12 Nominations of Candidates

Submissions for the nominations of candidates for presidential elections as well as members of the National Assembly are governed by sections 73, 74, and 77 of the Electoral Act.

The nomination period for the nomination of both candidates for Presidential elections and members of the National Assembly, commenced on Monday 13 October 2014 and ended on 29 October 2014. On the last day of the nomination period, which fell on 29 October 2014, and which is officially known as Nomination Day, the Chairperson of the ECN held a public seating at the ECN headquarters, to receive nominations. The Chairperson received nominations from sixteen (16) political parties to contest the National Assembly Elections and nine (9) presidential candidates to contest for the position of President.



**Figure 10: The Chairperson of the ECN receiving Nominations from Political Parties for the 2014 PNA elections**

### 1.12.1 Nomination of Presidential Candidates

The table below shows the particulars of the persons who were nominated as presidential candidates by their respective political parties.

Name of Presidential Candidate	Political Party	Acronym	Sex
Geingob, Hage Gottfried	SWAPO Party of Namibia	SWAPO Party	Male
Hamutenya, Hidipo Livius	Rally for Democracy and Progress	RDP	Male
Maamberua, Usutuaije	SWANU of Namibia	SWANU	Male
Mbai, Asser	National Unity Democratic Organization	NUDO	Male
Mudge, Henry Ferdinand	Republican Party	RP	Male
Mukwiilongo, Jan Epafras Mulinasho	Namibian Economic Freedom Fighters	NEFF	Male
Shixwameni, Ignatius Nkotongo	All People's Party	APP	Male
Ulenga, Ulenga Benjamin	Congress of Democrats	COD	Male
Venaani, McHenry Mike Kanjonokere	Democratic Turnhalle Alliance	DTA	Male

Source: ECN, 2014

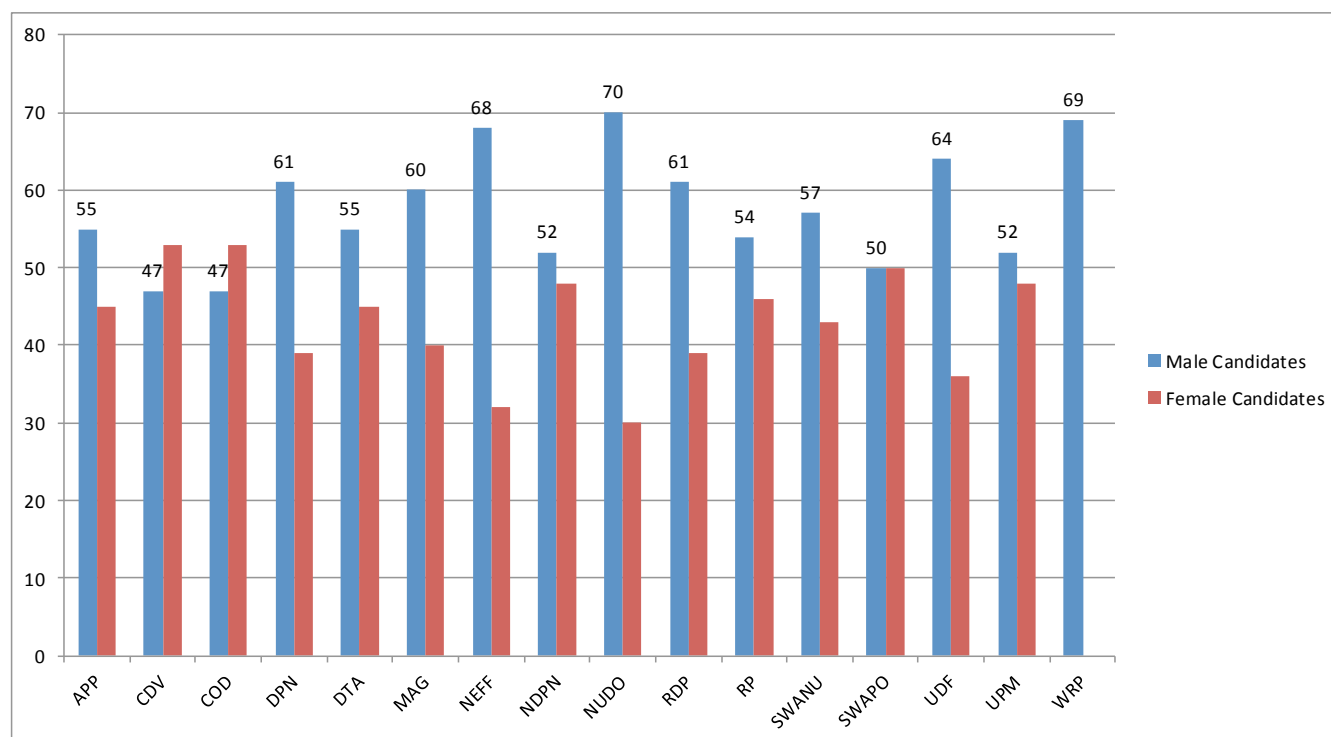
Strikingly, all candidates nominated by the respective political parties for the position of president were male. Also, no independent candidate contested this position.

### 1.1.1 Nomination of Candidates for the National Assembly

The nominations of candidates for the National Assembly is governed by sections 77 and 78, read together with section 64(1)(a) of the Electoral Act. Registered political party planning to take part in the National Assembly elections must submit their list of candidates to the Commission for vetting. The minimum number of candidates which may be nominated is 32 and the maximum number is 96. The candidate lists must be submitted in writing and may be done at any time after the announcement and publication of the nomination period by the President in the Government Gazette. It appears as if political parties understand this to mean that they can only submit their names on nomination day because they tend to wait until the last day to submit their candidate lists. This, needless to say, places enormous pressure on the ECN to attend to all the vetting and verification procedures as required by the law. For instance, the process of verifying each of the 1, 088 candidates nominated by the sixteen (16) registered for the National Assembly by political parties lasted from 09.00 until around 18.00 on nomination day.

The Electoral Act, as observed by the AUEOM does not contain specific provisions on gender equality for candidates for the National Assembly elections. This legal vacuum, in the view of the AUEOM, is incompatible with the principle and commitment to gender parity as provided for in article 2(1)(a) of the AU Protocol to the African Charter on Human and Peoples' Rights (ACHPR) on the Rights of Women in Africa and article 3(5) of the African Charter on Democracy, Elections and Governance.

The current legal position leaves it to political parties to voluntarily adopt measure to improve gender representation in their nomination lists. The effect and inconsistency brought about by leaving this aspect up to political parties, is clearly discernible from the difference in the number of males versus female candidates nominated as members of the National Assembly by the different political parties.



Source: ECN, 2014

### The 2014 List of Males versus Females Nominated as NA members by Political Parties

The AUEOM also expressed concern about the fact that the Electoral Act does not make provision for independent candidates to contest in National Assembly elections. This statutory void, in the view of the AUEOM, is contrary to a recent judgment given by the African Court on Human and Peoples' Rights and the ACHPR. In 2011 the African Court on Human and Peoples' Rights held that the ban on independent candidacy violates several rights, including the individual's right to equal protection of the law, the prohibition against discrimination, the right to association, and the right to political activity as recognised and protected under the African Charter.<sup>1</sup>

#### 1.4 Election Petition

A few days before the general elections some of the political parties filed an urgent court application to seek the annulment and postponement of the 2014 Presidential and National Assembly elections. They mainly argued that the EVMs violate the new Electoral Act because they leave no paper trail. However, the High Court rejected the claims that the use of the EVMs was unconstitutional and a breach of the Electoral Act.

<sup>1</sup> See *Tanganyika Law Society and The Legal and Human Rights Centre and Reverend Christopher Mtikila v The United Republic of Tanzania*, Application 009 and 011/2011.



## CHAPTER TWO: ELECTORAL PHASE

The election phase refers to the actual polling process. In other words, it relates to all the activities happening on Election Day, from the opening of the polls up to the very closing thereof. An assessment of this phase, thus, necessarily, must make reference to matters pertaining to the opening and closure of the polls on Election Day, measures used to prove voters' identity, the presence of the voters' register at polling stations, availability and adequacy of election material, assistance given to voters with special needs, mobile voting, voter turnout, and reflect on issues of voter intimidation or undue interference with the voting process. This chapter is aimed at reporting on these and other issues.

### 2.1 Public Participation

Participation in the electoral process is an important way of strengthening democracy. The inclusion of all eligible voters in the electoral process, irrespective of their jurisdictional, habitation and physical constraints is of utmost importance. The ECN ensured that stakeholders were informed well in advance of important dates pertaining to the elections through the Political Liaison Committee as well as public discussion forums with stakeholders such as the Civil Society, Traditional Leaders, and Faith Based Organisations in the lead up to elections.

This was done to ensure that the public and stakeholders had confidence in the electoral process and to make certain that the election process is accessible to all eligible voters as per the objective of the Commission "to organize, direct, supervise, manage and control the conduct of elections and referenda in a free, fair, independent, credible, transparent and impartial manner as well as to strengthen constitutional democracy and to promote democratic electoral and referenda processes."

### 2.2 Election Day

In terms of the new Electoral Act, all elections in Namibia, whether Presidential, National Assembly, Regional Council or Local Authority elections are now to be conducted over one day. The 2014 Presidential and National Assembly elections were accordingly conducted on Friday, 28 November 2014. The polling day was gazetted as a public holiday to enable as many Namibians as possible to exercise their democratic right to vote.

### 2.3 Polling Stations

A total number of 3 972 polling stations were established for the 2014 Presidential and National Assembly elections. Of this number, 1 386 were fixed polling stations and 2 586 were mobile stations. The number of polling stations proved adequate in ensuring as many eligible voters as possible cast their votes.

Special efforts were made to ensure that fixed polling stations were located in places readily accessible to the public. Polling booths were also arranged in such a way to ensure the secrecy of the vote and accessibility for people with disabilities as required by the law.

Most polling stations opened and closed at the legislated times of 07:00 and 21:00 hours, respectively. All voters that were still in the voting queue by 21:00 hours were allowed to cast their votes as provided for by the law. The opening and closing procedures prescribed by the law were duly followed in all polling stations.

## **2.4 Election Materials**

All polling stations were supplied with the necessary polling materials including VVDs, EVMs, copies of the Voters' Register and indelible ink, and the two sets of ballot boxes for the different type of elections. These materials were available in adequate numbers which allowed voting to proceed smoothly throughout the day notwithstanding the few technological glitches experienced. All polling stations were adequately staffed. Admittedly, some of the polling officials, as noted earlier, found the use of the hand-held VVDs challenging.

## **2.5 The Voting Process**

The Electoral Act prescribes, in elaborate detail, the manner and processes according to which voting at polling stations is to be conducted. The prescribed processes for voting, as confirmed by most of the observation mission reports, were generally complied with. Admittedly, the new idea of voter streaming, as introduced by the new Electoral Act into the voting process, was not complied with. Section 89(10) of the Act obliges presiding officers at each polling station to subdivide their respective voters' registers into alphabetic streams so as to speed up the voting process. The promulgation of the Act so close to the actual elections unfortunately meant that this invention could not be, planned, tried out and implemented. The ECN is, however, committed to comply with this legislated obligation.

Furthermore, section 64(2)(c) of the Electoral Act empowers the ECN to determine, in concurrence with the Security Commission, a different date before the general Election Day for members of the police force, defence force and correctional services who will be on duty on Election Day to cast the vote. This is one of the several changes introduced by the new Act. This welcomed change, needless to say, would require thorough planning and logistical arrangements. The late promulgation and implementation of the Act, unfortunately, once again meant that a new innovation introduced by the new Electoral Act could not be fully implemented. As a result these officials were accorded preferential treatment in voting queues as is customarily the case. This, as rightly observed by the SADC-PF observation mission, often frustrated ordinary voters already in the queue.

## **2.6 Security Arrangements**

The Electoral Commission has a long standing relationship with the Namibian police to ensure maximum security and maintain law and order in the electoral process. The Namibian Police was therefore also involved from the initial planning phases of the 2014 Presidential and National Assembly elections.

The safekeeping of the EVMs before, during and after polling is regulated by regulations published in Government Gazette No 5524 on 1 August 2014. According to these regulations, the sealed EVMs must be escorted by the Namibian Police. Details of safekeeping are agreed upon by the Namibian Police Inspector General and the Commission in concurrence with election agents. Importantly, the Namibian Police provided escort services to ECN officials when dispatching sensitive election material to all the regions and constituencies across the country.

The Namibian Police also played a crucial role in ensuring that election materials were delivered and stored under strict security at the various constituency police stations and ECN containers in the regions. The ECN building was also protected by officials from the Namibian police throughout the Electoral process.

ECN officials were provided with special made entry cards into the building classified according to work stations for smooth identification and administration of elections.

## **2.7 Voting Abroad**

The Electoral Act empowers the ECN to establish temporary registration points at any Namibian diplomatic mission or any other designated areas to make it possible for such citizens to register and vote for these elections. Accordingly, all registered Namibians voters who found themselves outside the country on Election Day were afforded the opportunity to cast their votes at Namibia's diplomatic missions. The Special Voting at foreign missions took place on Friday, November 14, 2014.

Several logistical and legislative challenges were experienced concerning voting abroad. Firstly, the EVMs could not be dispatched in time mainly due to the time constraint relating to the legislated period of not less than 40 days and not more than 45 days between the Nomination Day (Nomination of Candidates) and Election Day. The fact that the Special Voting abroad takes place earlier than the in-country Election Day and the fact that it takes at least two weeks to deliver election materials to all foreign missions left the ECN with insufficient time to dispatch the EVMs. There is a need to review the legislative timelines of the election process pertaining to nominations, printing of ballot papers, and the preparation of EVMs.

All polling stations established abroad opened on time with the exception of Moscow in Russia. The voting process at the Namibian Embassy in Moscow was delayed due to customs procedures in that country and the ECN liaison with that office. However, in spite of this delay, the assigned officials managed to collect the election materials, activate the polling station and enabled all registered voters who turned up to cast their vote.

In order to uphold the secrecy of the ballot and to avoid suspicion, intimidation and victimisation of voters, the results from Namibia's diplomatic missions were announced together with the in-country Presidential and National Assembly results.



## 2.8 Voting of Sea-Going Personnel

The voting of sea-going personnel took place on 14 November 2014. In Walvis Bay, sea-going personnel voted at Hosiana Parish of the Evangelical Lutheran Church in Namibia (ELCIN) and at the Kuisebmond Community Hall from 07h00 to 21h00, while in Lüderitz, one polling station was set up at the German Hostel Hall for the same purpose. At both places the elections were declared as free, fair and credible.

The turnout at these elections, especially at Walvis Bay, was very high. The process of verifying sea-going voters was found to be very cumbersome and tedious as more than 30 companies had submitted lists with a combined total of more than 3 000 voters which the ECN had to verify. The lessons learned will be factored into the planning processes for future elections in this regard.

The AUEOM also expressed its concerns about the fact that the results of these elections were released ahead of the general elections. International best practice dictates that results of advance voting be kept secret and declared on the same day as the result of the general elections. It goes without saying that closer attention ought to be given to this aspect in future elections.

## 2.9 Poll Closure and Counting of Votes

All polling stations were closed according to the prescribed closing procedures. In this regard, EVMs were transparently sealed and result print-outs were produced and counter-signed by all party agents and the relevant electoral officials as prescribed by law.

The counting process, was similarly, conducted in accordance with the laid-down statutory provisions. For instance, it was done at the polling station, immediately after the closing of the polls, and in the presence of party agents and observers. The counting process was thus conducted in an open and transparent manner.

After the completion of the counting process, a copy of the results was posted outside the polling station.

## 2.10 Voter Turnout

The 2014 Presidential and National Assembly Elections had a total Voters' Register of 1,241,194 (one million, two hundred and forty one thousand and one hundred and ninety four). The total turnout for the 2014 Presidential and National Assembly Elections was 72 per cent. Long queues of voters could be observed throughout the country. Voting took place in a very orderly and peaceful manner. No incidents of voter intimidation were reported. It was indeed encouraging to witness the high number of young persons who turned up to exercise their right to vote. The high voter turnout serves as testimony of the effectiveness and reach of the voter and civic and voter education campaign rolled out by the ECN. Namibians were also eager to vote through the use of the EVMs.





**Figure 11: Voting Que on Election Day**



## CHAPTER THREE: POST ELECTORAL PHASE

The Electoral Act defines the post-election phase as the period during and after polling day. Further to this definition, this section reflects on the counting process and aggregation of results, the transmission thereof, the announcement and acceptance of final results. This section also briefly reflects on the post-election reviews conducted shortly after the elections. It also touches on issues relating to possible legal Reform, and institutional capacity building.

### 3.1 Collation Centres

The new Electoral Act does away with verification centres. Verification centres has been replaced with collation centres. Further to this, a total number of 121 collation centres were set up in each of the constituency (121) across the country.

No recounting or recalculation, as per the legislative precepts, was done at collation centres. A collation centre is only tasked to verify the correctness of the return furnished by the respective presiding officers. Further to this, voting machine (EVMs) accounts were verified at the collation centres. It is also here where the correctness of the returns furnished by the respective Presiding Officers were verified, and the results for the constituency were collated and recorded on Elect 19 (b) or Elect 20 (b). All this was done by the Returning Officer in the presence of counting agent and party agents. These two forms, the print out from the EVM and the Elect forms were transmitted to the Election Results Centre in Windhoek for verification and announcement of results thereof.

### 3.2 Election Results Centre

The results from the different collation centres were transmitted through the Elections Results Transmission System. This is a multi-functional system equipped to perform fax to email, scanning as well as the conventional faxing functions.

One of the major challenges experienced during this phase was the high voter turnout. It must be borne in mind that the 2014 general elections were the first to be conducted on one (1) only. Moreso, Election Day was declared a public holiday. This meant that much more people honoured their civic duty to go out and vote. The high voter turnout caused some polling stations to close very late. This resulted in some polling teams arriving in the only in the early hours of the morning at the Collation Centres because the Presiding Officers had difficulties with the process of closing of the polls and printing of results.

The results from the collation centres where certified correct at the Election Results Centre by the Chief Electoral Officer after auditing and signed off by the Chairperson of the Commission. As soon as the results were signed off by the Chairperson, they were made public, meaningly shared with stakeholders such as the media and political parties. The results were also displayed on a large screen at the ECN Head Quarters. A dedicated website was also created and regularly updated to publish election results.

All these measures contributed towards confidence building in the electoral process of the 2014 Presidential and National Assembly Elections. This, arguably, resulted in the general acceptance of the elections results and outcome when they were announced on 1 December 2014.

### 3.3 Official Announcements of Results



**Figure 12: The Announcement Ceremony**

#### 3.3.1 Presidential Elections

The official announcement of the Presidential Election was done on December 1, 2014. The announcement was done by the Chairperson of the Electoral Commission of Namibia as per the provisions of the Electoral Act. The results were as follows:

NUMBER	CANDIDATE	VOTES	PERCENT
1	Geingob, Hage Gottfried	772,528	86.73
2	Hamutenya, Hidipo Livius	30, 197	3.39
3	Maamberua, Usutuaije	5,028	0.56
4	Mbai, Asser	16,740	1.88
5	Mudge, Henry Ferdinand	8,676	0.97
6	Mukwiilongo, Jan Epafras Mulinasho	2,514	0.28
7	Shixwameni, Ignatius Nkotong	7,266	0.82
8	Ulenga, Ulenga Benjamin	3,518	0.39
9	Venaani, McHenry Mike Kanjonokere	44,271	4.97
<b>TOTAL VOTES</b>		<b>890 738</b>	

Source: ECN, 2014



Further to the above, and consistent with article 28(2)(b) of the Namibian Constitution and section 109 (2) of the Electoral Act, Dr Hage Geingob was declared as President-Elect. He had garnered a total of seven hundred and seventy two thousand five hundred and twenty eight (772, 528) out of the total votes casted. This represents 86.73 per cent of the total votes casted in the Presidential race.

### 3.3.2 National Assembly elections

The official announcement of the National Assembly election results was also done on December 1, 2014 by the Chairperson of the Commission as required by the Electoral Act.

The Chairperson made the announcement as laid down in subsection 3 of section 110 of the Act. This subsection requires that the Chairperson inform the nation about:

1. the total votes cast in this election;
2. the total number of votes counted;
3. the quota that has been determined in accordance with Schedule 4 to the Constitution for the allocation of seats in the National Assembly; and
4. to indicate the number of votes recorded for each political party and the seats obtained by the respective political parties.

Further to the above, the Chairperson announced the detail and final outcome of the 2014 National Assembly elections as follows:

- i) Total number votes casted in this elections were 893,643;
- ii) The number of valid votes counted were 893,643; and
- iii) The quota determined for the allocation of seats in the National Assembly was 9,308.



**Figure 13: Election Results Centre**

Given the above, the outcome and seat allocation for the 2015/19 National Assembly was announced as follow:

No.	Political Parties	Total Votes Received	Seat Allocation	Surplus Votes	Total Seats
1	All People's party	20,431	2		2
2	Christian Democratic Voice party	2,606	0		
3	Congress of Democrats	3,404	0		
4	Democratic Party of Namibia	1,131	0		
5	DTA of Namibia	42,933	4	1	5
6	Monitor Action Group	3,073	0		
7	Namibia Economic Freedom Fights	3,259	0		
8	National Democratic Party of Namibia	1,389	0		
9	National Unity Democratic Organisation	17,942	1	1	2
10	Rally of Democracy and Progress	31,372	3		3
11	Republican party of Namibia	6,099	0	1	1
12	SWANU of Namibia	6,354	0	1	1
13	SWAPO Party of Namibia	715,026	76	1	77
14	United Democratic Front of Namibia	18,945	2		2
15	United People's Movement	6,353	0	1	1
16	Workers Revolutionary Party	13,328	1	1	2
		<b>893,643</b>			<b>96</b>

Source: ECN, 2014

### 3.4 Analysis of Results

The presidential candidate of the SWAPO Party won the presidential race with a landslide majority. He received 86.73 per cent of the total votes casted in the Presidential elections.

The SWAPO Party of Namibia won the 2014 National Assembly elections with an overwhelming majority. It obtained 77 out of the 96 seat in the National Assembly.

The DTA of Namibia was the distant second position. It garnered 4.8 per cent or 42, 933 of the votes cast in said elections. This translated into five (5) seats. The DTA of Namibia thus became the official opposition.

The Rally for Democracy and Progress (RDP) lost its status as official opposition party. It obtained three (3) seats in the 2014 National Assembly Elections, compared to the eight (8) it had in the previous National Assembly.



The All People's Party (APP) gained an additional seat. Its seats in the National Assembly increased from one (1) seat to two (2).

The National Unity Democratic Organisation (NUDO) and the United Democratic Front (UDF) both retained their two (2) seats in the National Assembly.

To new political parties, namely, Workers Revolutionary Party (WRP) and the United People's Movement (UPM) obtained seats in the National Assembly. The WRP obtained two (2) seats whilst the UPM obtained one (1) seat.

SWANU of Namibia, the United People's Movement and the Republican Party did not initially win any seats in the general elections. However, they each obtain one (1) seat through the application of the surplus votes system.

The remaining six political parties all received votes below 0.39 per cent, attaining less than 3405 out of a total of 893, and 643 votes, meaning none secured a seat in the 2014 National Assembly Elections. The six political parties are, the Christian Democratic Voice Party, Congress of Democrats, Democratic Party of Namibia, Monitor Action Group, Namibian Economic Freedom Fighters, and National Democratic Party of Namibia. All six parties did not attract any significant support and votes.

Compared to earlier elections since 1989 the turnout for the 2014 National Assembly and Presidential Elections of 72 per cent was quite satisfactory. For example, in 1989 some 97 per cent of registered voters were deemed to have taken part in the voting that took place over five (5) days from 7-11 November 1989 (a figure that was cited as a world record at the time for a voluntary election). In 1994 Presidential and National Assembly elections just over 76 per cent of the voters turned out—still a high proportion. In 1999 Presidential and National Assembly elections saw turnout of about 61 per cent, a sizable drop from 76 per cent in 1994. In 2004 National Assembly and Presidential elections produced a turnout of 85 per cent—the highest since the watershed 1989 election.

### **3.5 Post-Election Review/Assessment Audits and Evaluations**

The Electoral Commission of Namibia conducted a debriefing workshop on December 9, 2014 with Regional and Assistant Regional Coordinators who represented the ECN as regional managers during the 2014 Presidential and National Assembly elections. This was done with the view to gain insight analyse, dissect and reflect on what transpired on the ground so as to come up with observations and informed recommendations, including possible law reform.

The post-election review process provided the ECN with important insights and the opportunity to make recommendations and to improve the conduct of future elections through the assessment and analysis of the past elections. The ECN deduced useful information from the past elections and learnt from experience which will assist greatly in informing strategic and operational plans to direct the course of future elections, especially the upcoming 2015 Regional Council and Local Authority Elections.

The institution also convened a post-election review with its voter education officers over the period 28 January – 4 February 2015 in four clusters across the country. The objective of this activity was to reflect on the voter education campaign conducted for the 2014 Presidential and National Assembly elections.

In the same vein, staff members held an internal post-election review on 10 March 2015. They were requested to come up with summarised versions of key strategic points, challenges and recommendations to present to Commissioners during a post-election review process with staff and Commissioners on the 12 of March 2015. The following observations and findings transpired from the various post-mortems conducted:

### **1. Political Party Agents**

- Some political parties did not nominate party agents to attend training and some of the party agents who attended did not complete the training.

### **2. Training**

- Training period of one (1) week for election officials was too short and need review;
- The number of trainees per training venues was too large (in some cases up to 280 per venue); this compromises the quality of the training.
- The remuneration packages offered to polling officials should be reviewed.

### **3. Daily Flat Rate**

- The training fee of N\$100 per day paid to election officials during training should be reviewed.

### **4. Voter Verification Devices (VVDs)**

- The challenges experienced in respect of the VVDs impacted on both knowledge levels and confidence of the officials who operated these devices.

## **3.5.1 Transmission and Verification of Results**

This section briefly focuses on the Collation Centres, Central Election Result Centre, and Election Results Transmission System (Web Based Geographic Information System) as used and implemented during the 2014 general elections.

### **3.5.2 Collation Centres**

- The synchronisation of data (election results) captured and transmitted via the Elections Results Transmission System proved to be a challenge from some Collation Centres;
- The situation of Returning Officer (ROs) not remaining on-call/stand-by after the transmission of their results in some instances caused avoidable delays in announcement of results.

### 3.5.3 Central Elections Results Centre

- The process flow, scope and complexity of the CERC appeared to have been underestimated.
- The auditing of results before their actual announcement was another first and a welcome initiative; however, issues such as the number of auditors to be used, their training needs, the provision of adequate equipment and support staff for auditing purposes must be attended to ensure that the novel objective of this initiative is not compromised.

### 3.5.4 Elections Results Transmission System

Several administrative flaws were experienced with the introduction and implementation of this system; however, these challenges are not insurmountable and can be easily addressed through adequate training and the synchronisation of the system with the entire processes.

## 3.6 Legal Reform

### 3.6.1 Namibian Constitution Third Amendment Act 8 of 2014

The ECN was not engaged in the constitutional amendment process despite the fact that these amendments had significant impact on the electoral process. For instance, some of the amendments invariably required that the ECN to introduce additional administrative procedures into the system.

### 3.6.2 Review of Electoral Act No. 5 of 2014

The Electoral Act No. 5 of 2014 came into operation at a time when the institution was laden with the responsibility of planning and organising the 2014 Presidential and National Assembly elections. The ECN has taken note of the preliminary statements and reports submitted by various local and international election observer missions. The ECN also gained valuable insights from the Regional Coordinators and Assistant Coordinators who acted as regional managers during the 2014 Presidential and National Assembly elections. The observations of and recommendations given by the various observation missions and Regional Coordinators and Assistant Coordinators, objectively viewed, call for a range of possible amendments to the new Electoral Act. These include:

Section	Provision	Suggested Amendment
<b>Section 93(1)(a)</b>	Commencement and Closing of polls at polling stations	Clarify the meaning of “closing at 21h00” as being in the queue at 21h00 or being in attendance at 21h00; also, the Act must be amended to empower the ECN to extend voting hours if and when necessary.
<b>Section 64(2)(c)</b>	Different voting day for members of the police force, defence force and correctional services on duty of Election Day	Extent this provision to cover all other elections and not only the Presidential and National Assembly elections.
<b>Section 116</b>	Performance Assessment Report	Delete one (1) month after assessment and retain 6 months after the election in this section. The current wording of the section is ambiguous and capable of different interpretation.

Source: ECN, 2014

### **3.7 Institutional Capacity Building**

The adoption of new electoral technologies by the Electoral Commission of Namibia during the 2014 Presidential and National Assembly elections allowed the institution to launch major innovative technological and electronic devices such as the EVMs. The institution however, still lags behind in managing and sustaining its electoral systems. It still heavily relies on international vendors. This creates a dependency on such vendors to operate and control these critical technologies and processes. The ECN, needless to say, needs to put strategies in place for skills transfer in order to build capacity within the institution and consequently have less need for reliance on outside assistance.

## CHAPTER FOUR: ELECTION CHALLENGES, RECOMMENDATION AND CONCLUSION

### 4.1 Election Challenges and Recommendations

The ECN experienced some challenges especially with the start of polling on the morning of Friday, 28 November 2014. Most of the challenges related to the handling of the VVDs. This problem was mainly caused by ECN temporary officials who were handling the devices, in some cases the batteries of the devices were not fully charged or were delivered with flat batteries, especially in the Northern regions of Namibia. The delays in finalising decisions on the purchasing and signing of major contracts also adversely affected the procurement processes. Likewise, certain suppliers, for example in the case of the suppliers of the VVDs and their insistence on the payment of 50 per cent in advance greatly contributed to the late arrival of such devices.

Polling officials, admittedly, had not been properly trained on the use of the VVDs. Some of these devices rejected some voters' fingerprints causing extra paperwork as voters details had to be entered on a form. All these led to longer queues building during the day of the election. Even though the situation improved in the afternoon, voting was still slow in many areas - with voters taking at least twice as long as the ECN had predicted to vote, namely 3 minutes and 30 seconds to pass through polling stations.

The EVMs operated without major problems and accurately recorded the votes. The EVMs equally fast tracked the time spent at the voting stage as well as the counting of votes. This resulted in no spoiled or rejected ballots. Furthermore, the EVMs have simplified and improved the results tabulation process. Since the Electoral Commission adopted an elaborate result verification and auditing process, it was required to engage with Returning Officers and Presiding Officers in the field to verify data transmitted to the Central Elections Results Centre. This process was time consuming. It is the position of the ECN, however, that only verified results are announced to ensure the credibility and integrity of the election.

Reports of long winding queues at 20h30 in high density areas in Windhoek and across the northern regions and constituencies of Namibia were reported just before the closing of polls at 21h00. Consequently voting went on long after 21h00 in these places.

All eligible voters in attendance at 21h00 were allowed to vote as per Section 93(3) of the Electoral Act. Some polling officials in greater Windhoek reported that they worked till the early hours of 29 November 2014. The conduct of voters in this circumstance was simply admirable. Most waited patiently, politely and respectfully for their chance to vote. Smaller population centres seem to have had better and smoother experiences in general.



The table below captures the major the challenges and provide concomitant recommendations:

Subject	Challenges	Recommendations
<b>1. Training to use Voter Verification Devices (VVDs)</b>	Lack of training of polling officials (IT field support) on VVDs and Lack of understanding of polling processes by IT	IT training must be offered at all levels of the electoral process, especially on the use VVDs.
<b>2. Dispatchment of election material</b>	Logistical problems made for late delivery of some electoral material	ECN should design a logistics system for dispatchment and Return Control.
<b>3. Technical problems before and during the 2014 elections</b>	Some tenders were awarded late.	Procurement should be made at least 3 months in advance.
<b>4. Collation centres</b>	Data (election results) captured and transmitted were not adequately synchronised with the relevant forms.	Elect 19(b) and Elect 20(b) forms must be redesigned and align them with the requirements of the Collation Centres;  There is a need to designate one verifier per Collation Centre to assist RO with verification before elections results are transmitted to CERC as integral part of enhancing efficiency.
<b>5. Central Elections Results Centre (CERC)</b>	The Process Flow, scope and complexity of the CERC appeared to have been underestimated.	The entire CERC Concept should be assessed in preparation for the Regional and Local Authority Elections slated for 2015 with a view to layout clear Process Flow, required resources and operations system at all levels (i.e. Collation and Central level).
<b>6. Elections Results Transmission System (Web-based Geographic Information System)</b>	Many teething problems were experienced with the introduction and used of this new and innovative system during the actual elections.	There is need to review the recently acquired Elections Results Transmission System (web-based GIS) to be responsive to the need of the Commission.

Source: ECN, 2014

Subject	Challenges	Recommendations
<b>7. Political party agents</b>	Some political parties did not nominate party agents to attend training and some of the party agents who attended could not complete the training.	Political parties should be encouraged to nominate party agents for training and only agents who attended training should be allowed to observe elections.
<b>8. Daily flat rate</b>	The daily flat rate of N\$100 training fees paid to election official during training period.	ECN may consider to review the daily N\$100 flat rate training fee paid to election/registration officials with a view to increase, if budget shall allow.
<b>9. Voter Verification Devices (VVDs) and EVM</b>	Operators of the VVDs lacked both knowledge and confidence to operate these devices.	Sufficient training must be given to operators to ensure transfer of knowledge and to boost confidence of the operator of new technologies such as VVDs and EVMs.
<b>10. Administrative forms renders the process cumbersome</b>	There are too many Elect Forms which overwhelm and confuse the election officials. Some of these forms do not correspond or are not in line with newly introduced technological devices.	A thorough audit of all the Elect Forms currently in used should be undertaken.
<b>11. Announcement of results for special elections</b>	The current practice is to announce the outcome of Special Elections such as those for sea-going voters prior to the main elections.	The Electoral Act should be amended to provide that the results of all Special Elections be announced together with that of the general elections.
<b>12. Independent candidates for National Assembly elections</b>	Both the Constitution and the Electoral Act do not make provision for independent candidates to vie for seats in the National Assembly.	Reforming the law on this aspect as per the recommendation of the African Union Election Observer Mission should be given due consideration.

Source: ECN, 2014

## 4.2 Conclusion

The Namibian 2014 Presidential and National Assembly won praise from many quarters, including international observer missions, governments, and the general Namibian public. The congratulatory message of the Independent Electoral Commission (IEC) of Botswana aptly captures the general impressions on the way these elections were conducted and delivered:

*“It is with great pleasure and a high sense of pride that IEC write to congratulate you [ECN] for a job well done following professional conduct and delivery of the 2014 Presidential and Legislative elections. Your taking of the bold step to adopt and adapt electronic electoral solutions to your electoral process has filled us with excitement as one of our own in the region, and became the envy of the African continent.”*

The Commissioners, Management, Secretariat, and the entire staff component of the Electoral Commission of Namibia take pride in having discharged its constitutional mandate of delivering the 2014 Presidential and National Assembly elections. We endeavoured to discharge this public function in the most transparent and credible fashion. It is with great humility that we, dare say, that we achieved this objective. We are fully cognisant of the administrative glitches which marred certain aspects of the electoral process. We take full responsibility for these flaws and commit ourselves to improve on them as far as possible. Lastly, we shall not relent in our endeavour to live up to our statutory objective to discharge our mandate in a fair and impartial manner, without fear, favour or prejudice as required by the Constitution and the Electoral Act.

