

**Namibia Presidential and National Assembly  
Elections 2019**

**Interim Statement by Mr Musa Mwenye,  
Former Attorney General, Republic of Zambia,  
Chair of the Commonwealth Observer Group**

**29 November 2019**

The People of Namibia,  
Your Excellencies,  
Fellow Heads of Election Observation Missions,  
Members of the media,  
Ladies and Gentlemen,

On 27<sup>th</sup> November 2019, Namibians reaffirmed their commitment to our shared values of democracy by exercising their right to vote in the sixth multi-party elections in the country's political history.

The voting process was conducted in a largely peaceful and orderly manner. The Commonwealth Observer Group commends the voters, polling staff and all other electoral stakeholders for the patience, commitment and tolerance demonstrated on Election Day. It is our singular honour to have been given the opportunity to observe and support Namibia's democracy.

Our Group was constituted by the Secretary-General of the Commonwealth, The Rt Hon Patricia Scotland QC,

following an invitation from the Electoral Commission of Namibia to observe these elections. We arrived on 22 November and will depart Namibia on 2 December.

Our preliminary findings will be shared in the following manner: I will first provide our key findings on the pre-election environment, after which I will focus on our observations on Election Day. Finally, I will share our impressions of the post-election stage so far, mindful that the results process is ongoing, and then conclude.

This holistic manner is in line with our mandate, underscored in the arrival statement we issued on 23 November 2019.

Let me state that in accordance with this mandate, we will be assessing this election according to the national, regional, Commonwealth and international standards to which Namibia has committed itself.

The following is our initial assessment:

## **Key Findings**

### ***The Pre-Election Environment***

Since our arrival in Windhoek on 22 November, we have met with a range of stakeholders including the Electoral Commission of Namibia, political parties, civil society organisations, the police, and members of the diplomatic community. We also observed some final

rallies last weekend in Windhoek prior to the deployment of some of our members on 25 November 2019. On the same day, I paid a courtesy call on President Hage Geingob, to convey the Commonwealth Secretary-General's best wishes to the people of Namibia ahead of the polls.

We note that the 2019 Presidential and National Assembly Elections, the sixth multiparty elections since Namibia's independence, were the most competitive in the country's electoral history. Political competition was heightened by the candidacy of Dr Panduleni Itula, a card carrying member of the governing SWAPO party, who, as an independent candidate, decided to challenge the party's candidate, incumbent President Hage Geingob, in the Presidential Election. The internal dynamics of this phenomenon prompted some stakeholders to express concerns that one of the unintended consequences could be the perception of an attempted entrenchment of tribalism in Namibian politics.

The participation of an independent candidate and the candidacy of a woman, NUDO's Esther Muinjangu, for the Presidential election were unprecedented developments in the country's electoral history, which augurs well for the robustness of its democracy.

The lack of a voter verifiable paper audit trail (VVPAT) has been a source of concern for several stakeholders with whom the Group met. The loss of some Electronic Voting Machines (EVMs) loaned by the ECN to the SWAPO party for its internal elections, and minimal communication and engagement over the issue did not help with building overall confidence and trust in the machines. On 25 November, two days before voting day, the Electoral Tribunal dismissed an application by the independent presidential candidate to replace electronic voting machines with ballot papers. The Tribunal ruled that it had no jurisdiction to adjudicate on matters that involve reviewing the Electoral Commission of Namibia, while also stating that the application lacked urgency.

Despite the competitive nature of the elections, the Group observed that the electoral environment was largely peaceful. All political parties and candidates were generally able to engage in campaign activities without restrictions. However, we understand that some youth supporting one of the candidates attempted to block the Presidential convoy in Oshana Region on 16 November, leading to the intervention of the police and the use of teargas to disperse them. There were also a few reports of posters of opponents being torn down, although it did not appear to be systematic and widespread.



We encourage Namibians to continue to exhibit the culture of political tolerance and social harmony for which the country is known.

An important issue raised by civil society organisations is the lack of funding for their activities, which hampers effective participation in electoral processes, including the deployment of citizen observers. NGOs conduct observation mainly through volunteerism, thereby reducing the numbers of persons engaged for such an important oversight task. During briefings, representatives of Citizens for an Accountable and Transparent Society (CATS) advised us of their intention to deploy some citizen observers. On Election Day, the COG met some citizen observers deployed under the Namibia Institute for Democracy.

We encourage electoral stakeholders to support citizen observation for a more robust civil society participation and engagement.

## **Election Day**

On the eve of the elections, members of the Group in regions of deployment met with local police, returning officers, political party officials and other observers. They did not report any major logistical challenges, except for a few cases where shortages in some important operational items were reported. These were eventually received at 6:00am on election day.



Though there is always room for improvement in electoral efficiency, the Commonwealth Observer Group would like to commend the staff of the Electoral Commission of Namibia, polling officials, and all other institutions who worked tirelessly to ensure that electoral materials and equipment were in place in readiness for election day.

On Election Day, polling stations generally opened on time, despite some delays observed, mainly as a result of pre-polling testing of electronic voting machines, which testing was conducted in the presence of party agents and observers. Such inclusive pre-testing was a good confidence and trust building measure. Polling stations were equipped with requisite polling staff and materials. Although there were some variations in the sizes of polling stations, lay-out was generally the same, and by and large, preserved the secrecy of the vote.

The procedures for the opening of the polls were followed. We were impressed by the professionalism, confidence, and enthusiasm of polling officials, a significant number of whom were young men and women.

Police presence at polling stations was generally visible, including in queue management, but their presence was non-threatening, although in some cases, they appeared to be actively involved in electoral processes, such as recording serial numbers of seals. As best practice, there is a need for a clear delineation of the roles of

polling staff and police officers at polling stations, to avoid possible confusion of roles.

In most polling stations we visited, party agents were present, and they performed their duties unhindered. In a case observed in Windhoek, all party agents could not be accommodated in the polling station due to the limited space in the tent. On the contrary, in the Karibib constituency in the Erongo region, a mobile team stationed at the police station, had to set up and conduct voting activities under a tree, sometimes under the glare of the sun.

We encourage the Electoral Commission of Namibia to consider increasing the size of tents and ensure that they are properly ventilated given the heat at this time of the year.

We observed that the processing of voters remains slow, thereby resulting in an arduous polling experience for many voters, with lengthy queues and voting extending well beyond close of polls. All voters who were still in the queue at close of polls at 9:00pm were allowed to vote, in accordance with the law.

The average time for processing of a voter is approximately 4 minutes. In this respect, we encourage the ECN to explore practical options to expedite the process, without undermining electoral integrity.

Observers noted that in some cases, the voter verification devices for voter authentication did not immediately pick up the serial number on the voter's card when scanned. This process had to be done manually in such instances, which further slowed the process.

Despite a few glitches with printers, closing procedures were transparent, with presiding officers conducting the process in a careful manner and in accordance with prescribed procedures. Results were thereafter displayed at polling stations.

## **Post-Election**

The day after the elections, our Observers in the field met with district election officials, the police and other stakeholders to receive their feedback on the process, and to follow up on the ongoing result transmission stage.

Regional officials confirmed that there were no major incidents reported.

We encourage all Namibians, especially political parties, candidates and supporters, to remain patient and tolerant, while the Electoral Commission of Namibia concludes the results processes.





## *Conclusion*

We wish to commend and congratulate all the voters for turning out in significant numbers on election day to exercise their franchise. We also commend the ECN and polling staff, political parties, civil society, the media and security forces for their respective roles in ensuring the success of the electoral process thus far.

We were particularly impressed by the large numbers of women and youth who participated in the electoral process as candidates (including through party lists), voters, polling staff, party monitors and citizen observers. While these groups' participation was commendable, we do encourage further action to enhance their effective participation in political and state institutions.

It is our hope and expectation that as the results process reaches its crucial finalisation phase and that Namibia's tradition of peaceful electoral process will continue to be jealously preserved.

Our final report will now be prepared and submitted to the Commonwealth Secretary-General, who will forward it to the Government of the Republic of Namibia, the Electoral Commission of Namibia, leaders of political parties, and thereafter to all Commonwealth

Governments. It will also be made available to the general public.

As we conclude, we encourage the ECN, political parties, civil society and other electoral stakeholders to engage in post-election, inclusive dialogue on how to resolve the issue of the lack of a verifiable paper trail ahead of future elections. The ECN's ongoing and consistent engagement with political parties is an incredibly critical part of building and maintaining confidence in the electoral process.

The ECN should also lead efforts towards investing more in voter education and encouraging the public to become better acquainted with the EVMs, enhancing communication with stakeholders and building overall confidence in the use of the EVMs. ECN should enhance their collaboration with civil society groups and other stakeholders so as to carry out continuous civic education.

Finally, it is our hope that by bringing this electoral process to a successful conclusion, Namibia will continue to serve as an inspiration for the rising tide of democracy throughout Africa and the wider Commonwealth.

Thank you.

*Windhoek, Namibia  
29 November 2019*

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For more information, please contact Temitope Kalejaiye  
Assistant Communications Officer

Tel: +44 (0)7423 453835

Email: [t.kalejaiye@commonwealth.int](mailto:t.kalejaiye@commonwealth.int)

### **Note to Editors**

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