



**SADC ELECTORAL OBSERVER MISSION
TO THE REPUBLIC OF SEYCHELLES**

PRELIMINARY STATEMENT

BY

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AND

HEAD OF SADC ELECTORAL OBSERVER MISSION

ON

PARLIAMENTARY ELECTIONS HELD

ON 29, 30 SEPTEMBER AND 01 OCTOBER 2011

- The representatives of the Electoral Commission of Seychelles ;
- Your Excellencies, Members of the Diplomatic Corps;
- Esteemed Leaders of the Political Parties;
- Esteemed Members of the various Observer Missions;
- Esteemed Members of the Media;
- Members of Civil Society;
- Distinguished Guests;
- Ladies and Gentlemen.

It is our honour to have you at this occasion marking the end of the SADC Electoral Observation Mission (SEOM) to the Republic of Seychelles Parliamentary Elections, which is signified by the presentation of the Mission's Preliminary findings and overview of the electoral process in the Republic of Seychelles.

1. INTRODUCTION

At the invitation of the Electoral Commission of Seychelles, the SADC Electoral Observer Mission was deployed for the observation of the Parliamentary Elections that were held from 29 September to 01 October 2011.

The Observer Mission was deployed at the instruction of the Chairperson of the Organ on Politics, Defence and Security Cooperation, His Excellency Jacob Zuma, President of the Republic of South Africa.

The Executive Secretary of SADC, Dr Tomáz Salomão in turn facilitated the administrative and logistical requirements for the deployment of the Mission as

prescribed by the Southern African Development Community (SADC) *Principles and Guidelines Governing Democratic Elections*.

I am an official from the Department of International Relations and Cooperation of the Republic of South Africa and my presence in the Mission has been as representative of the Chairperson of the SADC Organ on Politics, Defence and Security Cooperation.

Since the official launch of the SADC Electoral Observer Mission to the Seychelles Parliamentary elections on 24 September 2011 and after days of intensive work, the SADC Electoral Observer Mission has the honour to announce its preliminary views on the outcome of its observation. A detailed report in line with the *Principles and Guidelines Governing Democratic Elections* shall be released within thirty (30) days after the announcement of the election results.

2. THE ROLE OF THE SADC ELECTION OBSERVER MISSION

I would like to state at this juncture that the SADC Electoral Observer Mission was guided by the *SADC Principles and Guidelines Governing Democratic Elections*, which in turn emanates from the *OAU/AU Declaration on the Principles Governing Democratic Elections in Africa* and the *AU Guidelines for African Union Electoral Observation and Monitoring Missions*. The SADC Principles and Guidelines set the minimum threshold in our observation exercise. I must state at this stage that the Mission, as part of its Terms of Reference has considered the political environment as follows;

1. the period before polling;
2. the voting period and;
3. the post electoral period.

In addition to the *SADC Principles and Guidelines Governing Democratic Elections*, the Mission was also guided by the legal provisions as inscribed in the Constitution and Electoral Act of Seychelles.

Consistent with Article Two (2) and Four (4) of the *SADC Principles and Guidelines Governing Democratic Elections*, the Mission sought to determine the existence of the following pre-conditions as a guideline to the electoral process;

- (i) Constitutional and legal guarantees of freedoms and rights of citizens;
- (ii) Conducive environment for free and fair and peaceful elections;
- (iii) Non-discrimination in voter registration;
- (iv) Existence of an updated and accessible voters' roll;
- (v) Timeous announcement of the election date;
- (vi) Where applicable, transparent funding of political parties based on the agreed threshold in accordance with the laws of the land;
- (vii) Neutral location of polling stations ;
- (viii) Establishment of the mechanism for assisting the planning and deployment of electoral observation missions and;
- (ix) Counting of the votes at polling stations.

In addition to the minimum guidelines mentioned above, the electoral process in Seychelles is expected to be in compliance with the principles enshrined in the *SADC Principles and Guidelines Governing Democratic Elections* and reads in part as follows;

- (i) Full participation of the citizens in the political process;
- (ii) Freedom of association;
- (iii) Political tolerance;
- (iv) Regular intervals for elections as provided for by the respective National Constitutions;
- (v) Equal opportunity for all political parties to access the state media;
- (vi) Equal opportunity to exercise the right to vote and be voted for;
- (vii) Independence of the Judiciary and impartiality of the electoral institutions and;

(viii) Voter education.

The SADC Observers were reminded to uphold the following guidelines to ensure a high standard of observation that;

- the observers must comply with the laws and regulations of the Republic of Seychelles;
- they should maintain strict impartiality in the conduct of their duties, and shall at no time express any bias or preference in relation to national authorities, parties and candidates in contention in the election process. Furthermore they will not display or wear any partisan symbols, colours or banners;
- they will base all reports and conclusions on well documented, factual and verifiable evidence from multiple number of credible sources as well as their own eye witness accounts and;
- they should work harmoniously with each other and other observer missions/organisations in their areas of deployment.

3. DEPLOYMENT OF SEOM OBSERVERS

The SADC Electoral Observer Mission to the Seychelles Parliamentary Elections had a total of Thirty Four (34) Observers that were deployed to various Islands namely;

1. Mahe Island;
2. Silhouette Island;
3. Alphonse and Desroches Island ;
4. Darros and Remire Island;
5. Ile Aux Vaches Island, Dennis Island and Fregate Island and;
6. Assumption and Farquhar Island.

The Mission comprised Observers drawn from SADC Member States and ranged from a diverse background such as Members of Parliament, civil servants, electoral and political experts and diplomats, among others.

The Office of the Head of Mission was further augmented by the members from the Organ Troika Member States as well as the SADC Electoral Advisory Council, with the support of the SADC Secretariat.

The information gathered from the field from the period of observation makes up the picture and perspective that we, as a Mission present today.

4. CONSULTATIONS WITH STAKEHOLDERS

In the gathering of information related to both the political and electoral landscape obtaining in the Seychelles, the Mission noted the need to interact and consult with a number of stakeholders and sectors of the Seychelles society as critical to our report. The stakeholders that were consulted include;

- H.E James Michel, President of the Republic of Seychelles
- Hon. Jean- Paul Adams, Minister of Foreign Affairs
- High Commissioners and Ambassadors accredited to the Republic of Seychelles;
- Seychelles Electoral Commission;
- Political Party leaders that include the participating as well as those not participating in the parliamentary elections;
- Religious leaders;
- Non-Governmental Organisations;
- Other observer groups- the joint Indian Ocean Commission, and Organisation Internationale de la Francophonie (OIF), the Citizen Democracy Watch and ;
- The Media ;

These interactions assisted the SADC Electoral Observer Mission to understand the prevailing political environment in the country.

4.1 Major issues raised by the stakeholders

The Mission wishes to highlight some issues of concern expressed by stakeholders on the electoral process. These include the following:

- i. Accessibility to the media
- ii. Lack of impartiality by the state media;
- iii. Allegations of Intimidation from different political groups;
- iv. Discrepancies between information on the voter registration system and the civil registration records;
- v. Slow progress in reforming the electoral laws;
- vi. Political anxiety as a result of the boycott of the Parliamentary election by some opposition parties;
- vii. Regulation of political party funding

In accordance with normal practice, the Mission pursued in earnest the views and grievances expressed by the various parties with the objective of having factual evidence and clarification on the matters raised. The following was found to be obtaining on the ground:

4.1.1 Accessibility to the media

Stakeholders expressed the need for increased and equal access to both private and state media and a reduction in the fees charged to establish private media institutions as well as coverage fees.

4.1.2 Lack of impartiality by the state media;

The Mission noted that most media especially print and broadcast, is State owned. This has given rise to accusations and perceptions of lack of impartiality on the coverage of the opposition parties by the State media. Concern was raised by stakeholders that news coverage was heavily in favour of the ruling Party.

4.1.3 Allegations of Intimidation from different political groups

The Mission has been informed of incidents of intimidation of some political figures from both the ruling and the opposition parties from the time of dissolution of the National Assembly to the run up to the election. Similarly, the Electoral Commission officials have also allegedly been targeted in incidents bordering on harassment.

4.1.4 Discrepancies between information on the voter registration system and the civil registration records

Some of the stakeholders that were consulted by the Mission, raised concerns regarding discrepancies between information on the voter registration system and the civil registration records of persons over the age of eighteen (18) thus questioning the credibility of the voters roll.

4.1.5 Slow progress in reforming the electoral laws

Despite the implementation of legal reforms that included the establishment of the Electoral Commission and the accreditation of local observers for the first time during the Parliamentary elections, stakeholders remained critical of the slow pace of electoral reform and most of them expressed the view that these reforms could have been made prior to the dissolution of Parliament.

4.1.6 Political anxiety as a result of the boycott of the Parliamentary election by some opposition parties

Most stakeholders which were consulted expressed concern at the prospect of having a single party dominated National Assembly due to the boycott of the Parliamentary elections by some opposition parties. According to the stakeholders such a political landscape will compromise the principle of multi-party democracy and good governance in the country.

4.1.7 Regulation of political party funding

The Mission also noted concern that the funding of political parties, including the ruling party is not transparent. Moreover, unease was also raised over the lack of legislation to regulate political party funding.

5. PRE – ELECTION PHASE

It is the Mission's view that distinction be made between the political environment in general and issues related to the electoral processes.

In terms of the latter, it is noted that some reforms were implemented as per previous recommendations, including the establishment of the Office of the Electoral Commission, replacing the Electoral Commissioner, as well as the accreditation of local observers. However, much still needs to be done in this regard. We therefore urge the Government of the Republic of the Seychelles to continue with the reform process.

With regard to the political environment in general, the Mission noted that the dissolution of Parliament and the non-participation of most opposition parties in the Parliamentary elections was shrouded in controversy. The non-participation denied the opposition parties an opportunity to influence the politics in the Seychelles and has the potential to regress the gains of multi-party democracy. We are of the view that the full participation of all political players in the democratic processes in the country will contribute to the enhancement of democracy.

6. POLLING PROCESS

The Mission noted that most polling stations opened and closed on time and polling was conducted in an open and transparent manner. The Mission appreciated the calmness of voters who were able to express their franchise peacefully, freely and unhindered despite the inclement weather conditions. In all polling stations observed, party agents, security and electoral officials were present.

The Mission wishes to commend the Electoral Commission for the efficient and orderly election. The electoral officials were available to assist the electorate with the electoral procedures as and when required.

There was cooperation between election authorities and other institutions in providing explanations on election related matters. The presence of party agents, observers and law enforcement officials in the polling stations assured all stakeholders of the integrity of the process.

Although the Mission noted instances where some people's names did not appear on the voters roll but were subsequently allowed to vote subject to further verification, the voting process was generally transparent and peaceful.

The Mission also notes with appreciation the facilitation of the Electoral Commission by providing alternative arrangements for the voters in the outer island that presented themselves at the polling station after the station was closed.

7. COUNTING PROCESS

The SADC Electoral Observer Mission observed that the vote counting process began after closing of the polling stations with the exception of the outer Islands. The vote counting process was conducted procedurally. In some polling stations, party agents and observers witnessed and followed closely the counting of votes together with the electoral officials without any hindrance.

The Mission noted that all stakeholders from party agents, electoral officers, observers enhanced the credibility and transparency of the electoral process.

The Mission is pleased to note that, in accordance with the *SADC Principles and Guidelines Governing Democratic Elections*; the votes were counted at the Polling Stations and thereby enhanced the timeous announcement of the election results.

8. SADC ELECTORAL OBSERVER MISSION RECOMMENDATIONS

After the Presidential elections held in May 2011, the Mission made some recommendations. The Mission notes that the process of electoral reforms has begun with some of the recommendations taken on board and these are;

- The inclusion and encouragement of participation of local observers; and
- The establishment of a National Electoral Commission as opposed to an Electoral Commissioner that existed during the May 2011 Presidential elections in line with Article 7.3 of the *SADC Principles and Guidelines Governing Democratic Elections*.

As we draw to the end of our engagement in observing the Parliamentary elections, the Mission recommends the following;

- Expediting electoral reforms;
- Strengthening and broadening the mandate of a Media Commission that is independent and will, among other things, expedite the participatory formulation of the Code of Conduct and access of all political parties to State media as provided in Article 2.2.5 of the *SADC Principles and Guidelines Governing Democratic Elections*;
- Introducing the use of translucent ballot boxes to enhance transparency;
- Voting to take place on the same day with the exception of the special votes to enhance the credibility of the process;
- Posting of results at the respective polling stations after counting for purposes of transparency;

- Improving voter and civic education to include multi media approach;
- Verifying of information on the voter registration system to correspond with the civil registration records;
- Encouraging inter-party dialogue to resolve differences and contentious issues and;
- Application and observation of the ‘cooling off period’ by all stakeholders, including the Media

9. BEST DEMOCRATIC PRACTICES AND LESSONS LEARNT

As it is known, the Parliamentary elections were snap elections and took place 90 days after dissolution of Parliament in adherence to the Constitution. The Mission is however pleased to note that there was adequate preparations and adherence to the *SADC Principles and Guidelines Governing Democratic Elections*, on the overall electoral process.

The following best democratic practices and lessons in the Seychelles electoral process were observed;

- The high state of logistical preparedness by the Electoral Commission ;
- Provision of special voting for the elderly and persons with disabilities as well as those providing essential services prior to the main voting day;
- Use of both indelible and invisible ink to guarantee against double voting;
- The existence of a three day “cooling off period” that *inter alia* allows for easing of political tensions;

10. CONCLUSION

It is the sincere hope of the Mission that all the issues as reflected in the report will be received and considered by all the stakeholders to the electoral process in this Country. It is our belief that the report as presented will be a contribution by the regional body to democracy and good governance and electoral process for the people of Seychelles.

The Mission would like to take this opportunity to encourage all political stakeholders in the Country to come together and work towards resolving their political differences and ensure political stability and good governance in the interest of the people of Seychelles

The concerns and grievances expressed by the Parties have been noted by the Mission. Despite the concerns raised mainly by the political stakeholders, the electoral process and procedures were credible and transparent. Of importance to the Mission is the opportunity and ability provided by the authorities to enable the people of Seychelles participate in the selection of their National Assembly representatives. To this end, the SADC Electoral Observer Mission is pleased to note that the democratic right to vote for the people of Seychelles has been respected and accorded in line with the *SADC Principles and Guidelines Governing Democratic Elections*.

The Mission would like to urge the contesting candidates and political parties to respect the will of the people. In the event of any grievances, the Mission would urge all to seek redress in line with the relevant laws of the country.

Therefore, on behalf of the Chairperson of the Organ on Politics, Defence and Security Cooperation, His Excellency Jacob Zuma, President of the Republic of South Africa and on behalf of the entire SADC family, I wish to heartily congratulate the people of Seychelles for holding a free, transparent and peaceful Parliamentary election on 29,30 September and 01 October 2011.

In the same vein, the Mission would like to thank the Electoral Commission and the Seychellois for their assistance, cooperation and hospitality accorded to this observer Mission.

Merci Beaucoup!

Mahé, 02 October 2011.