

EASF

Election Observer Mission



Final Report

EASF Election Observation Mission to the Republic of Seychelles 22nd – 24th October 2020

1. BACKGROUND

Seychelles is made up of two main groups of 115 islands in the western Indian Ocean. Its closest neighbours are Kenya, around 1600 kilometres to the west, and Madagascar, which lies about 1100 kilometres south. The inner group of around 40 islands are rocky and mountainous. The second group of outer islands are low-lying and coralline. Most of Seychelles is covered by forest. Considerable efforts have been made to preserve the islands' marked biodiversity. Seychelles' government has established several nature preserves and marine parks, including the Aldabra Islands and Vallée de Mai National Park, both UNESCO World Heritage sites. The Aldabra Islands, a large atoll, are the site of a preserve inhabited by tens of thousands of giant tortoises, the world's oldest living creatures, which government conservation efforts have helped rescue from the brink of extinction.

The Seychelles was first a French colony and then later acceded to the English. The result of this is a mixed jurisdiction legal system. When Seychelles became a British colony, the powers that be kept the substantive civil law as it was, but overhauled the criminal law. Procedure was also anglicized and so to were the laws of evidence, subject to evidential laws inherent in the French civil law. The October 2020 general elections were conducted under the revised election Act 2019.

2. INTRODUCTION

Between the 22nd – 24th October 2020, Seychelles hosted the general elections in line with the Election Act. A large number of voters turned up to cast their votes. This election was conducted within a context of a highly contested political landscape. At the invitation of the Government of Seychelles, the Chairperson of the Eastern Africa Standby Force deployed an EASF Election Observation Mission (EASF-EOM).

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The Mission arrived in Seychelles on 9th of October 2020 and spent 14 days in the quarantine facility in line with the Public Health Act. It comprised of 9 observers from Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda. The observers were from the civil society sector, media, peace and security. The Head of Mission was Mr. Dawit Assafe from the Democratic Republic of Ethiopia. The Mission met with political actors of the country, leaders of institutions in charge of election management, control and security of elections, candidates, media commission and civil society.

3. OBJECTIVE AND METHODOLOGY OF THE MISSION

The objective of the EASF-EOM was to evaluate in a positive, independent, professional and impartial manner, the integrity, credibility, regularity and transparency of the general elections.

The methodology of the Mission is resolutely inscribed in the structural framework of principles elaborated in key provisions of international instruments notably the African Charter on Democracy, Elections and Governance (2012), the OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, (2002), the AU Guidelines for Election Observation and Monitoring Missions (2002), and the United Nations Declaration of Principles for International Election Observation (2005). The Mission also takes into consideration regional instruments and particularly the national legal framework for the conduct of elections.

In line with its mandate, the EASF-EOM carried out an objective and independent assessment of the electoral process.

4. OBSERVATIONS AND FINDINGS

In June, 2020 the Election commission of Seychelles announced tentative dates for the general elections and the dates were later maintained and confirmed as 22nd, 23rd and 24th as polling dates. Nominations for both presidential candidates and parliamentary candidates were done as per the provisions of the Election Act.

The EASF Mission noted with satisfaction the active role of the local observers from the two observer groups CDWS and ARID, churches and diplomatic corps.

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4.1. Legal Framework

The organization of the Presidential and National Assembly election is mainly regulated by the Constitution and the Election Act. It defines in its Articles the conditions of eligibility of candidates, limits the presidential mandate to five (5) years renewable twice and specifies the second round mode of voting for the presidential election. The Political Party Act regulates the functions including party funding of registered political parties.

The EASF Mission notes the significant progress made to the Election Act. However, it underscores the provisions in the Political Parties Act which puts independent candidates in a disadvantaging position in respect to funding and airtime allocated in the state media. There is a need to review the electoral dispute resolution mechanism to ensure that candidates can seek redress in cases of electoral dispute.

4.2. Electoral Administration

The Election Commission of Seychelles is made up of a board of seven commissioners and the Chief Electoral Officer. The Election Commission had some challenges in the organization of this elections. On day one of special voting, some impediments were recorded namely; lack of information on the special voter register and some other logistic shortcomings.

EASF-EOM notes with satisfaction the work done by the commission to improve and address the situation in time for main voting day. However, other logistical issues occurred on main polling day. In four stations visited by EASF-EOM, we have recorded insufficient ballot papers and discrepancies in the votes cast on special voting day. EASF-EOM recognizes the efforts of the commission to address these issues before the closing of the stations on that day.

4.3. Voter Registration

The registration of voters for this elections was ongoing until the official date of voting was announced then consequently the voters roll was closed, as prescribed in the Election Act of Seychelles.

4.4 Media

The state as well as the private media played an important role in the electoral process and in informing voters. The EASF-EOM notes with satisfaction the role of the media in the dissemination of updated, factual and credible information to the public at large. Special programmes including 'live' coverage of the official announcement of the results were conducted

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in both the electronic and print media. EASF-EOM notes the misunderstanding between the Election Commission and the Association of Media Practitioners on the issue of accreditation

EASF-EOM commends the engagement of the Media Commission of Seychelles in the electoral process.

4.5. Opening of Polling Stations

The EASF Mission noted that 92% of the polling stations visited opened on time at 7 am as prescribed in the electoral law. The electoral personnel were present on time and they were professional in the manner they executed their tasks. The procedures for opening were respected in the presence of candidate representatives. However, the EASF-EOM notes that in some polling stations the delays were caused by lack of effective procedures to deal with the ballot papers cast during special voting. EASF-EOM notes a 1 hour 30 minutes' delay at the Cascade district. However, EASF-EOM commends the decision by all Electoral Officers (EO) to extend the closing of all stations with late opening.

4.6. Participation of women

The Mission noted with satisfaction that aged persons, pregnant women, nursing mothers and people with disabilities were given priority to vote. The other special groups were equally assisted in the exercise of their franchise.

EASF-EOM notes the high percentage of women as election officials. However, the ratio of female candidates was low, out of 75 candidates 53 male and 22 female candidates.

The Mission noted that voting went on under serene and calm conditions, despite the long queues observed in the morning. However, EASF-EOM noted disturbances and ineffective crowd control at the Bel Ombre polling station.

4.7. Secrecy of the vote

The secrecy of the vote was generally respected in most of the polling stations observed. Voting secrecy was compromised in 55% of the cases either due to poor positioning of the voting booth or the inappropriate arrangement of certain polling stations.

4.8. Security

The observers noted the presence of security forces within proximity of polling stations. Their presence was visible and generally discrete.

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4.9. Closing and counting

The closing time of 7.00pm was respected in the majority of polling stations observed with the exception of the stations which opened late. The observers noted that in some polling stations, there were still queues and but the voters in the lines were allowed to vote.

The counting operation went on in serenity according to the provisions of the electoral law. However, delays and some shortcomings were witnessed in certain polling stations. After counting, the candidate representatives signed copies of the result sheets and received copies.

The results were posted at polling stations in most of the cases. In Baie Ste. Anne and Glacis districts the candidates refused to sign the result forms.

5.0. Civil Society

The civil society sector has an important role in the electoral process. The Electoral Commissioner's office keeps the electorate informed of the administrative arrangements through the Government Gazette, local newspapers, radio, TV and also by engaging with the CSOs notably the election observer groups. The roles of the two main Civil Society observer groups were crucial in the electoral process and the conduct of this elections.

5. PUBLIC HEALTH

The election in Seychelles was conducted amid the serious health pandemic, COVID-19 and under strict guidelines from the public health commission. EASF-EOM recognizes the efforts of the health authority in educating and sensitizing the public and voters at large on public health measures to be implemented during the election period. However, on nomination days and during special voting days' total non-adherence to the public measures was observed. EASF-EOM notes with satisfaction the efforts done by the Election commission and the Red Cross Society to mitigate the situation on main polling day. EASF-EOM observed high level of hygiene with regular sanitization of polling areas. We also noted the presence of red cross officials in most polling stations.

6. CONCLUSION

The EASF-EOM notes with satisfaction that the general election was conducted in a calm, peaceful and generally serene environment. Based on our objective assessment, EASF-EOM concludes that the election was free, transparent and credible.

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The EASF Mission congratulates the Government of Seychelles, candidates, the voters, the defense and security forces and the media and encourages them to continue to preserve peace and security in the country which is a condition for sustainable development. EASF-EOM urges the candidates and political parties to resort to legal means in the case of grievances to preserve stability and national unity in the country.

The EASF-EOM equally commends the good coordination and collaboration of the Election Commission and other stakeholders involved in the process. EASF-EOM commends the voters for maintaining a peaceful and calm environment before, during and after voting.

7. RECOMMENDATIONS

The EASF-EOM recommends,

- a. Review the Political Parties Registration and Regulation Act
- b. Election Commission to consider the introduction of new innovative/technological ways in the electoral process from voters' identification to transmission of results
- c. Ensure use of appropriate polling booths and layout of polling stations to guarantee secrecy of ballot
- d. Introduce legal framework for misuse of social media platforms during electoral process
- e. Establish legal framework for the transition of a previous President to a newly elected one
- f. Establish more effective complaint mechanisms to address grievances and complaints relating to elections
- g. Review of the media policy introduced by the election commission
- h. Enhance voter education

In concluding the EASF would like to express its appreciation to the people and the government of the Republic of Seychelles for facilitating the deployment of the EASF-EOM and acknowledges the support of the EASF fraternity in that process.

End of Report

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