

Election WatchX

Produced by the Institute for Public Policy Research (IPPR)

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FREQUENTLY ASKED QUESTIONS

This bulletin was compiled to cover Frequently Asked Questions (FAQs) about the 2015 Regional Council and Local Authority Elections. It is produced as part of the IPPR's Election Watch project with the assistance and support of the Electoral Commission of Namibia (ECN), fesmedia Africa, and the European Union.

What am I voting for in the upcoming election?

At the elections taking place on the 27th November 2015 registered voters will elect their local authority and regional council representatives.

What do the Regional Councils do?

Regional Councils undertake the planning of the development of the region. Every Council should strive to promote development in the region to improve the living conditions of its residents. Their tasks include, among others, developing the economic potential of the region and developing infrastructure such as water, electricity and transport networks. During the election, voters will vote for the candidate they believe will help to develop their constituency most capably and effectively. This is done through the first past the post system, where the candidate with the most votes wins. Each Regional Council is made up of councillors from each constituency within that region. During the first sitting of the Regional Council, the members will elect three councillors to represent the region in the National Council.

What is the role of local authorities?

Local authority councils include all municipalities, town councils and village councils. These councils are tasked with managing and maintaining the area for which they are established and which they represent. Their tasks include, for example, the provision of water and waste removal. During the Local Authority election, you will vote for the political party of your choice. This party will appoint its representatives to the local authority on the proportional list system.

Is November 27 a public holiday?

No, unlike the National Assembly and Presidential elections last year, voting day for the local authority and regional council elections has not been declared a public holiday.

What assurances will I have that my vote will be secret?

The voting is done in accordance with Section 99 of the Electoral Act, which emphasises that voting is by secret ballot.

What measures are in place to prevent 'repeat voting'?

The Voter Verification Devices (VVDs) will allow for polling officials to compare the voters' card with the "Unrecovered Voter Registration Cards List" – a list indicating cards of persons whose names were included in the provisional voters' register but not in the subsequent voters' register. This is to ensure that a voter does not have in their possession two voters' cards and attempts to use both cards. Double voting is further prevented by checking that voters have not voted before through the use of the ultraviolet light to detect any traces of the indelible ink by the ultraviolet light controller.

How does assisted voting work?

Section 103 of the Electoral Act stipulates that a presiding officer or polling officer may assist or instruct a voter in the manner of voting at polling stations.

Section 103 2 (c) further indicates that a voter can also be accompanied by any other person of their choice, who can request the presiding officer to assist the voter or vote on their behalf.

How many voters can one person assist at a polling station?

There is no restriction but the Commission has issued directives to limit the number of voters being assisted by Presiding Officers and members of the public. The ECN's recommendation is that one individual should not be allowed to assist more than 10 people who are unable to vote on their own.

Can party agents assist me if requested?

No, party agents are not allowed to assist voters.

How will the tendered vote be accommodated/dealt with?

Tendered votes do not apply to the Local Authority and Regional Council Elections. This means voters have to vote at a polling station in the constituencies and in the local authority area where they are registered.

How many people are allowed in a voting booth?

Only one person is allowed in the voting booth if the voter does not require assistance, and two will be allowed if the voter is getting assisted.

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WHAT LANGUAGE/S WILL OFFICIALLY BE USED INSIDE A POLLING STATION?
English and vernacular languages.

WHAT DO I NEED TO PRODUCE AT A POLLING STATION TO DEMONSTRATE ELIGIBILITY TO VOTE?
Voters must present their voter card issued by the Electoral Commission.

HOW WILL I VOTE?
The Electorate will make use of Electronic Voting Machines (EVMs) in the upcoming Presidential and National Assembly Elections to cast their vote.

I'M GOING TO VOTE

WHAT HAPPENS IF I PRESS THE WRONG BUTTON – CAN I RECTIFY MY MISTAKE?
A voter can rectify their mistake if they have not pressed the red button on the ballot unit which confirms their vote cast. If a voter has made a mistake he or she can press the green button again to release that choice. Thereafter they can make a new choice by pressing the green button of a candidate or party of their choice again before confirming the vote by pressing the red button. If the red button is pressed the vote cannot be reversed or changed.

WILL I BE ABLE TO VOTE IF MY NAME IS WRONGLY SPELT ON MY VOTER'S CARD?
YES, the ECN will use the biometric data stored in the bar code to ascertain the details of the voter.

IS THE USE OF MOBILE PHONES, TABLET COMPUTERS OR CAMERAS ALLOWED IN THE POLLING STATION OR VOTING BOOTH?
The Electoral Law is silent on the use of these devices, however voters and officials are encouraged to switch off their phones in the polling station and the use of these devices is restricted.

WHAT ARE ELECTRONIC VOTER VERIFICATION DEVICES (VVDs) AND HOW WILL THEY BE USED?
As part of the introduction of IT systems in the electoral processes, the ECN has decided to use electronic Voter Verification Devices (VVDs) throughout the country to verify if a voter is on the register. The VVDs will verify that the voter's card is valid and will note the constituency and region of the voter in comparison with the polling station that the voter decides to cast their vote.

CAN I GO TO VOTE IN MY PARTY ATTIRE?
Party regalia are not allowed inside a polling station and any campaign material such as posters, banners and billboards should be kept at a 500 meter radius from polling stations.

HOW LONG WILL IT TAKE TO VOTE?
It takes 3 and half minutes on average; this time is inclusive of voter verification.

* Information sources for this bulletin: Electoral Commission of Namibia, Electoral Act No. 5 of 2014, Institute of Public Policy Research

ABOUT ELECTION WATCH

Election Watch is a bulletin containing electoral analysis and voter education that will appear regularly in the run up to the 2015 Regional Council and Local Authority Elections. It is produced as a PDF download and as a printed newspaper insert. Election Watch is a project of the Institute for Public Policy Research (IPPR). It is produced with the support of the European Union, fesmedia Africa and *The Namibian* newspaper.

The content of Election Watch is the sole responsibility of the IPPR.

Comments and feedback should be sent to the IPPR, PO Box 6566, Windhoek, Namibia.

Tel: (061) 240514; fax: (061) 240516; email: info@ippr.org.na. For more on Election Watch check <http://www.electionwatch.org.na>

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What language/s will officially be used inside a polling station?

English and vernacular languages.

Is the use of mobile phones, tablet computers or cameras allowed in the polling station or voting booth?

The Electoral law is silent on the use of these devices. However voters and officials are encouraged to switch off their phones in the polling station and the use of these devices is discouraged.

What do I need to produce at a polling station to demonstrate eligibility to vote?

Voters must present their voter card issued by the ECN during the general registration of voters in 2014 or the supplementary registration of voters in 2015. For the Regional Councils and Local Authorities' elections, you must be in your constituency or local authority area where you were registered as a voter in order to vote.

Will I be able to vote if my name is wrongly spelt on my voter's card?

Yes, the ECN will use the biometric data stored in the bar code to ascertain the details of the voter.

How will I vote?

The electorate will make use of Electronic Voting Machines (EVMs) in the upcoming Regional Council and Local Authority elections to cast their vote. The machines were used for the first time in 2014, during the Presidential and National Assembly Elections.

How will I know that the vote I cast will be the vote recorded?

Once you cast your vote by pressing the green button corresponding to the candidate (regional council elections) or party (local authority elections) of your choice, you confirm your vote by pressing the red 'register' button. When you do this, the beep sound signals that your vote has been recorded.

What happens if I press the wrong button – can I rectify my mistake?

As a voter, you can only rectify your mistake if you have not pressed the red button on the ballot unit which confirms or registers your vote as a cast ballot. If a mistake is made, you can press the green button again to clear your first choice. Then make a new selection by pressing the green button of a candidate or party of your choice before confirming the vote by pressing the red button. Once the red button is pressed, you cannot reverse or change your vote.

How long will it take to vote?

If all goes according to plan in the verification and casting of ballots, it should take about 3 and half minutes on average to go from entry to exit of the polling booth.

Can I go to vote in my party attire?

Party regalia are not allowed inside a polling station and any campaign material such as posters, banners and billboards should be kept at a 500-metre radius from polling stations.

What are electronic VVDs and how will they be used?

VVDs are handheld devices containing the entire voter register, and will be used to verify that the voter's card is valid, as well as note the constituency and region of the voter in comparison with the polling station that the voter decides to cast their vote.

The verification of voters takes place in four steps:

1. At each election station an election official will manage the voter data contained on the handheld device
2. A voter will walk up to the official and will be verified on the device (a printed voters register for the constituency will also be available at each polling station)
3. The following information can be used to confirm the voter against the existing database on the VVD:
 - Voter ID number (scanned or typed)
 - Fingerprint is retrieved and matched
4. On successful verification the voter proceeds to the ballot box to cast his/her vote.

Why is voting in these elections important?

The ECN's Chief Electoral Officer, Professor Paul Isaak states that "Namibians want to see tangible benefits from having voted and that issues such as employment, alleviation of poverty and reduction of wealth for only a few Namibians, gender equality, adequate social and medical care, adequate and affordable housing, quality education and allocation to land, are successfully addressed and implemented. To put it more strongly and boldly, only when such basic needs of daily bread and butter issues of life are implemented the electorate will believe that people could "eat democracy" and that democracy delivers credible products or through democratic elections any government ought to bring around food to the hungry, proper and affordable housing to the homeless, clinics and hospitals to the sick and safe environment in all neighbourhoods, villages, towns, farms, and cities in all the parts of Namibia." Over the years, voter turnout in regional council and local authority elections has been much lower than national elections. However, because the local authority and regional councils focus on service

delivery and regional development, it is important that the electorate go out to vote for the candidates and parties that they think would best deliver on these mandates.

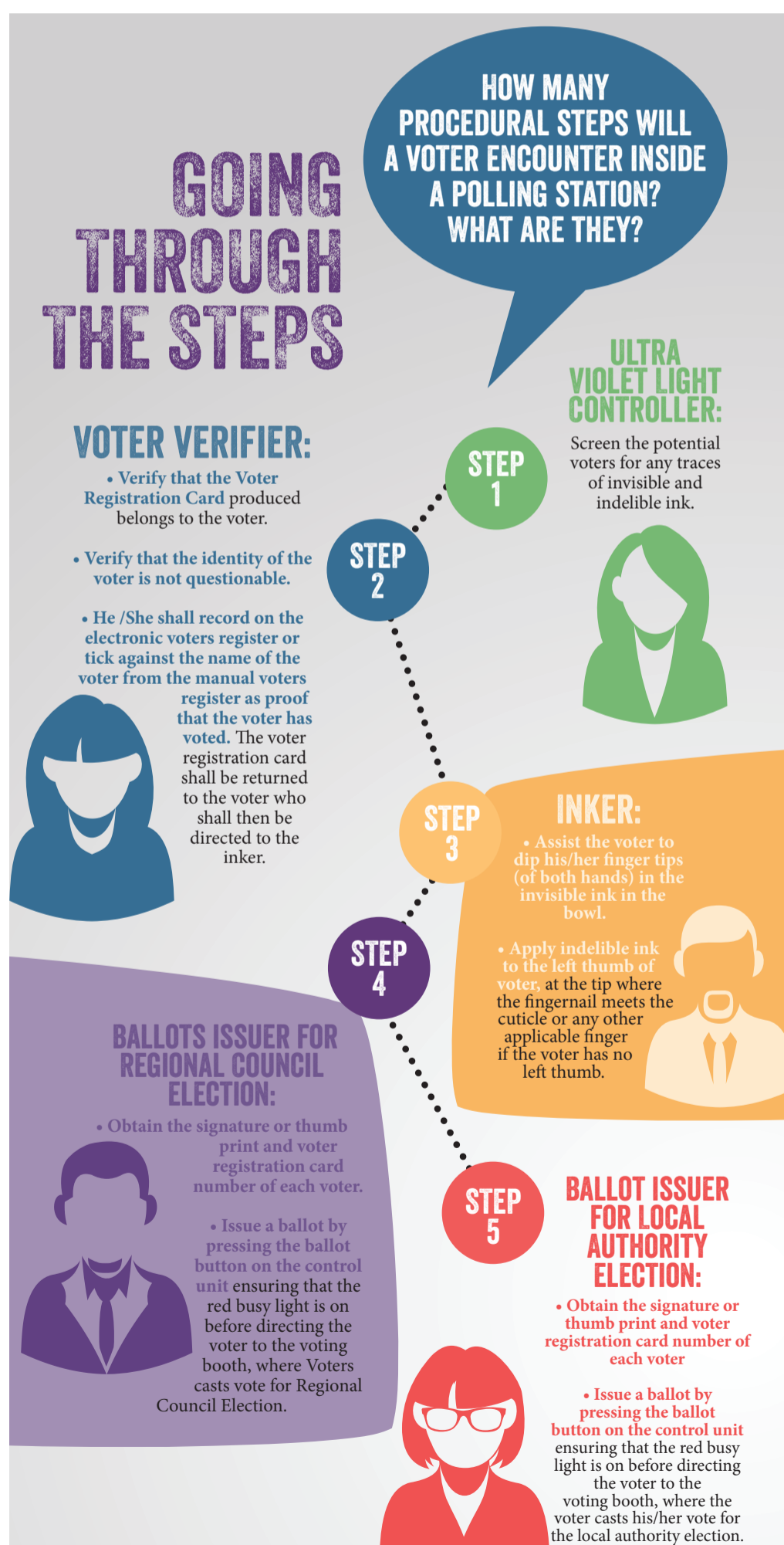
What is the ECN doing this year to ensure that mobile stations turn up on time?

Whereas during the Presidential and National Assembly elections, eligible voters could vote at any polling station, during the Regional Councils and Local Authority elections, you only vote in your constituency or Local Authority area. The ECN has thus prepared itself in accordance with the expected numbers of eligible voters at fixed as well as mobile stations.

What reassurances would ECN like to make in terms of eliminating delays and long queues?

The institution experienced a number of challenges last year. We have taken the necessary measures to ensure that there will not be a repeat of delays and long queues, this included the proper training of officials who would be operating the Voter Verification Devices (VVDs), the operation of the VVDs, was one of the main contributing factors to long queues during last year's elections.

Additionally, because voters are only allowed to vote in the constituencies or local authorities in which they reside, the ECN is better able to anticipate the number of voters expected at the different polling stations and to plan accordingly.



VOTING with EVMs

How many polling stations will be used for the upcoming election? How many are mobile, how many fixed?

3480 (Total) - Mobile 2318 and Fixed 1162

How secure are EVMs from being tampered with? How possible is 'ballot stuffing' or 'election rigging' using EVMs?

The EVM is a stand-alone machine consisting of two interconnected components. It cannot be accessed via any other means and it does not transmit any signal or connect to any type of network. The system software that operates the EVM is stored on a chip, which is Read only Memory (ROM) which is hardwired on to the planner board or motherboard at manufacturing and is done in a fully automated plant.

No one, not even the manufacturer can change or tamper with the system after manufacturing.

ufacturing. After the preparation of the EVMs, they are sealed. A pre poll test is also conducted an hour before the elections to ensure that all buttons are working and that at the end of the pre poll there are zero votes on the machines which eliminates any fears of "stuffing."

Some of the customised features designed and implemented for Namibia are:

- EVMs are capable of conducting dual elections simultaneously
- EVMs have a facility for the voter to change the selection before confirmation of vote
- Real time clock to facilitate voter time stamping, date and time of the commencement and closing of the poll and logging of events.

How many EVMs are being used in each election?

Total EVMs to be used is 3105. We have 1938 teams for the Regional Council and 602 teams for the Local Authority elections. 2316 EVMs for the Regional Council elections including contingency and 789 EVMs for Local Authority elections including contingency EVMs

Are the EVMs connected to a central server at the elections centre so that real-time monitoring of the elections can take place?

The machines are stand-alone devices and are not connected to a central server. The ECN will use fax and email to transmit the results.

How are EVMs powered and how long does the power source last?

The machines are powered by batteries with a lifespan of 52 hours.

Will there be separate EVMs/voting booths for the Local Authority and Regional Council elections?

Yes, there will be separate voting booths for each election in polling stations where both elections are relevant.

Will there be a voter verifiable 'paper trail' (paper record) of the votes cast through each EVM?

No, however there is provision for the voter verifiable paper trail in the Electoral Act. This section has not come into force as yet. The section will come into operation when a commencement notice is published by the Minister of Regional and Local Government and Housing and Rural Development

The ECN, political parties & observers

How independent and impartial is the ECN?

The ECN is mandated to direct, supervise and control all elections conducted in terms of the Electoral Act in a fair and impartial manner for. As an institution, the ECN, continuously seeks to improve electoral processes and practices at every opportunity and to willingly learn from each electoral activity undertaken. In line with the latter, since the new Electoral Act (No. 5, 2014) was adopted, the ECN has put in place measures to improve the electoral process through the law reform process.

The ECN also maintains a strong liaison with various stakeholders like political parties, civil society and faith-based organisations. It is through open and transparent dialogue with such stakeholders that ECN is able to successfully deliver on its mandate effectively and efficiently and continuously enhance the electoral process.

What measures have been taken to accommodate observers and/or party agents in polling stations?

The Electoral Act provides for political party agents and observers to be present in polling stations and they have to be accredited accordingly.

Who has access to polling stations as observers and how and who will grant accreditation?

International and local observers who have been accredited have access to polling stations. The Commission invites local and international organizations and persons to apply for accreditation.

How should political party agents/ observers conduct themselves in or outside polling stations?

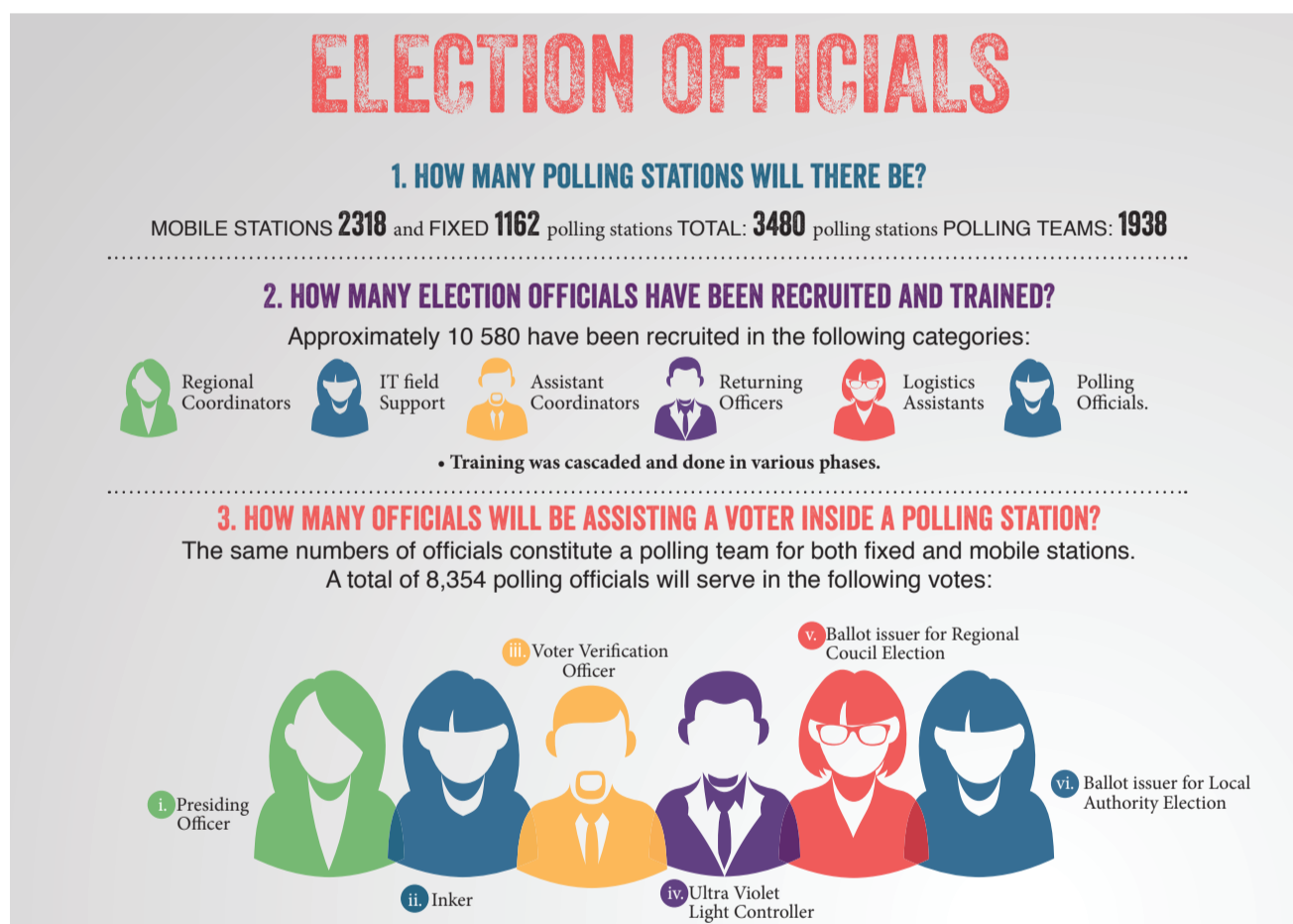
The observers and party agents subscribe to codes of conduct for observers and political parties respectively, in order to promote conditions of free and fair elections.

Who will be allowed into a polling station? And, who will be allowed into a voting booth?

Polling station: observers, party agents, voter(s), ECN officials, accredited media. Voting booth: voter casting vote and person to assist with voting, on request.

If irregularities are encountered at a polling station, who should be contacted or complaints be directed to?

Complaints are directed to the Presiding Officer, who is required by section 204 (1) to record the incident in the



occurrence book. The complaint is then recorded and signed in the occurrence book by person(s) present in the polling station. Incidents not recorded in this book will be deemed not to have occurred, and the book is held at polling stations and collation centres. Presiding Officer, Returning Officer, counting officer, police officer, polling officer, staff member, or temporary staff member, election agent, counting agent, candidate etc. can record incidents in the occurrence book.

Will there be a police presence at every polling station and if so, what will be the role of the police?

There will be police officers deployed with each team, the role of the police is to ensure law and order at the polling station and provide security for election material.

Given that the election is just one day, how many polling venues will each mobile polling station serve and how long will it be in each (average)?

The mobile stations cater for approximately 2-5 polling points,

but this varies in the various constituencies depending on the geographical area.

How will polling stations be in contact with the ECN elections centre and who will they report to?

The counting starts at the polling station after the close of polls. Results are displayed at the polling station and then the teams within a specific constituency travel to the constituency collation centre where results are collated, displayed and then transmitted to the ECN Central Electoral Results Centre in Windhoek.

Will voting take place in uncontested constituencies and local authorities?

No. In uncontested constituencies, the sole candidates or parties are deemed duly elected and no election will take place. In the upcoming election, there are 26 uncontested constituencies (out of 121 total constituencies) and 5 uncontested local authorities (out of 57 local authorities). Elections will only be held in the remaining 95 constituencies and 52 local authorities.

COUNTING THE VOTES AND ANNOUNCING RESULTS

What are the final figures (as announced) of the voter register?

1,267,335 Regional Council Final Register
418,544 Local Authority Final Register

How many collation centers will there be?

There will be 147 collation centers (The results of constituencies will be announced within the constituencies, for local authorities, there will be a center made available for the announcement of the results, some will be announced at the same centers where the constituency results are being announced)

If EVMs are being transported to vote counting centres, how will the maintenance of the integrity of EVMs be ensured?

The safekeeping of EVMs before, during and after polling is regulated by regulations published in Government Gazette No 5524 on 01 August 2014. According to these regulations, the sealed EVMs must be escorted by Namibian Police. Details of safekeeping are agreed upon by the Namibian Police inspector general and the ECN in concurrence with election agents.

How long will it take to count the votes?

Two to three hours taking into consideration the number of voters in line at the time of close of polls and the distance a polling team has to travel to the counting centre.

What is the role of collation centres?

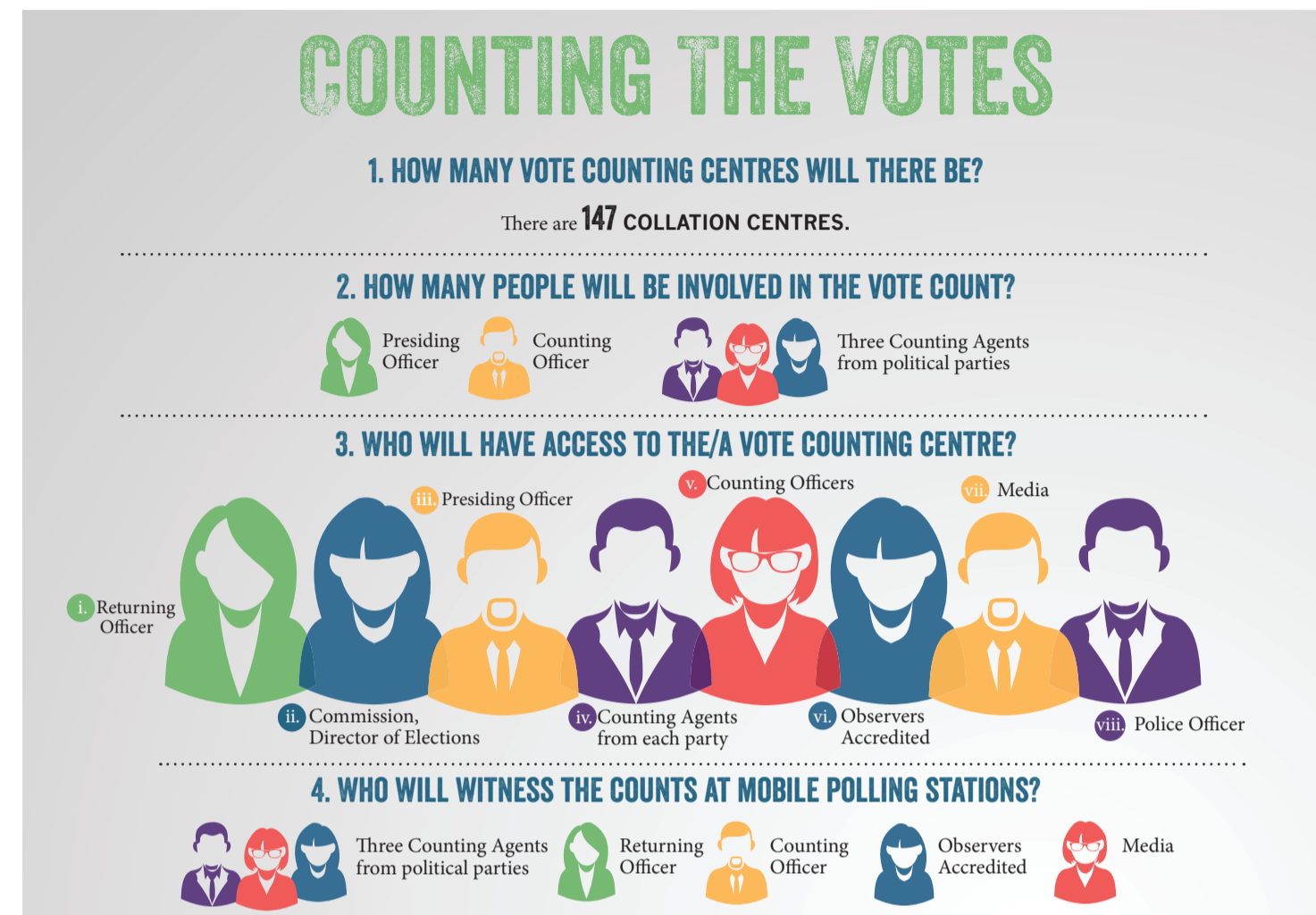
The collation centre is the place where the voting machine accounts are substantiated. The Returning Officer verifies the correctness of the returns furnished by the Presiding Officer, collates the results for the constituency and compiles a report which will be transmitted to the Chief Electoral Officer. All results from different polling stations will be collated at the collation centre.

How will results be announced for the regional council election?

Presiding Officers will count and announce results at Polling stations

As soon as the votes of all polling stations in a constituency have been counted and the number of votes have been determined in the constituency, the Returning Officer must preliminarily determine the candidate for the constituency to be declared as a member of the regional council concerned. As soon as this process is complete, the Returning Officer for the constituency must inform the CEO, who must ensure the determination is correct.

The CEO must then inform the Chairperson of the Commission to make a final determination and announce in the prescribed



manner the result of the election concerned.

Who will announce results and how frequently will such announcements be made?

The final announcement of results is made by the Chairperson of the ECN, who will:

- Make known the total number of votes counted in the constituency, and in respect of each candidate, the number of votes recorded for the candidate; and
- Declare the candidate to be duly elected as a member of the regional council concerned with effect from the day on which the election took place.

Will mobile phones, tablet computers or cameras be allowed in vote counting centres?

No, these devices are not allowed.

Where will the final results be announced?

The Final Results will be announced at the ECN Headquarters from the Central Election Results Centre.

What mediation measures/mechanisms are in place to deal with elections results disputes?

All matters arising before polling day in an election are adjudicated by an Electoral Tribunal and all appeals thereto addressed to

the Electoral Court, but the Electoral Court must dispense with all such appeals before polling day. The Electoral Court is part of the High Court and has wide powers to adjudicate on a variety of matters, e.g. review decisions of the Commission, decide any matter concerning a contravention of the Electoral Act etc. The Electoral Court must conclusively determine all postelection matters seven days before the swearing in of the office bearers concerned.

On what grounds can a recount take place? Who can call for a recount? Who decides if a recount is to take place?

A counting agent (appointed by a registered political party) can request a presiding officer to re-count the ballot papers and votes counted at a polling station. The Electoral Court can also order a re-count.

How would a recount take place if EVMs do not have a paper trail?

After an election, the control unit is connected to a printer and the number of candidates, the number of votes cast, the number of votes each candidate received etc. is printed out. Furthermore the court can also order that the data be retrieved in case of a dispute. The whole idea is that with the voting machines it should not be necessary to ask for a re-count since the possibility of human error is removed with the machine doing the counting.

The ECN also has a form it uses for checks

and balances/ to reconcile the correctness of the return furnished by the presiding officer at the counting centre, by relating the information to the total number of votes cast at the polling station Elect 27 (a) (every voter is requested to sign this form), versus the total number of votes recorded on the control unit/s used.

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