

## **NOTE ON THE ELECTONS YEAR AND ELECTIONS OBSERVATION IN AFRICA**

The Elections Year in Africa has come to a close with the Parliamentary Elections which took place in Gabon on the 17 December 2011. In total, 28 elections were organised on the Continent. What a record! This is a sign that democracy is gaining grounds, against all odds, in a Continent where recourse to inclusive electoral systems has become the norm and the instrument for democratic governance.

The African Union (AU) was present in all these elections in accordance with the mandate given to it by the leaders of Africa, with the primary objective of not only promoting democracy but also peace, stability and security as necessary preconditions for harmonious development.

Of the 28 elections organised on the Continent, the AU deployed its observers in 26 of Member States. Seychelles and Egypt elections were not observed for reasons beyond its control.

It is important to note that in terms of the relevant provisions of the OAU Declaration on the Principles Governing Democratic Elections in Africa (AHG/Decl. 1 XXXVIII), the African Union Guidelines for Elections Observation and Monitoring Missions adopted in Durban in 2002, and the various instruments and guidelines of Member States on electoral processes, the responsibility to observe and assess the regularity, transparency, fairness and the smooth running of electoral processes in all Member States devolves on the Union.

The Observation Missions of the African Union that are conducted, independently, are led by high level political personalities and heads of credible Electoral Management Bodies, with members usually drawn from the following professional groupings: Electoral Management Bodies of Member States; the Economic, Social and Cultural Council of the Union (ECOSOCC); Civil Society Organisations; the Panafrican Parliament; Human Rights Bodies; and lastly, Ambassadors accredited to the African Union in Addis Ababa.

The procedure adopted is such that upon arrival in a country, the Mission is required to:

- issue an 'Arrival Statement' to announce its presence;
- meet national stakeholders in the electoral process in order to ascertain the level of preparation for the polls, its inclusiveness and the fairness of the process;
- deploy its members in the different constituencies and administrative districts to observe the organisation of the polls;

- independently issue a 'Preliminary Statement' at the end of the exercise based on the Mission's findings; and
- adopt a Mission report which details among other issues, all irregularities and other shortcomings noticed by observers.

The standard procedure for the preparation of Mission reports also requires that they should be written independently by the observers themselves, who freely determine the content for adoption by consensus, without any external influence whatsoever. Thereafter, the reports are submitted to the Chairperson of the Commission for information and transmittal to the country concerned while drawing attention to the recommendations made by observers. Recommendations formulated are mostly aimed at improving the electoral process in the country for future exercises.

Some challenges have indeed been experienced during the process of observation, which are often times linked to the meagre financial resources available to the Union. As such, in practice, observers are only deployed a few days before the polling date and have to end their observation almost immediately after - an arrangement which limits the opportunity for complete analysis and evaluation by observers.

Very often, it should be pointed out, electoral disputes and conflicts erupt before or after the actual vote. One can in the light of this reality, note the criticisms levelled against observers of the AU to the extent that their statements and reports do not take into consideration such important elements for a more comprehensive evaluation of the electoral process.

The African Union is fully aware of these challenges and is doing everything within its power to overcome them. Pre-election assessment teams are deployed, although for very short periods, in order to identify potential challenges and to recommend appropriate preventive measures. Here, we have to congratulate ourselves for the role played by the AU Panel of the Wise, one of the pillars of the African Peace and Security Architecture.

The Elections Year in Africa has been generally positive. The case of Côte d'Ivoire and the Democratic Republic of Congo, indeed call on us: leaders, peoples, stakeholders at all levels to deal with the numerous obstacles facing the democratic processes in Africa and to look for effective means of resolving them. Let us recognise however, that the majority of the polls were conducted in a peaceful and orderly manner. We have witnessed winners and losers shaking hands, in spite of difficulties, for the sake of the larger interest of their peoples thus paving the way for continuity or democratic change, according to the will of these same peoples, who, themselves, are increasingly crowning the democratic culture that is developing with expressions of their voices.

The African Union will continue to pursue efforts aimed at the realisation of its vision of an Africa driven by its peoples by accompanying its Member States in their difficult but exalting progress towards democracy. To this end, while emphasizing the independence of Observer missions and observers, we call on Member States and national institutions, members of civil society, the media and all interested parties to support the efforts by the Union aimed at strengthening the credibility and transparency of elections on the Continent, and the consolidation of democracy and good governance.