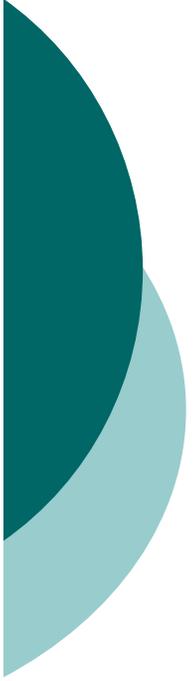


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# The electoral process

The Stages, problems and  
irregularities



# Part I

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## The Stages



# The Stages

## Stage 1

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- Registration of voters, compilation of registers of polling stations, issuing and distribution of voter cards before polling day. (Sections of 32-50 of law No. 92- 10 of 17 September modified by Law No. 97 - 020 of Sept. 1997)
- Voter registration takes place as from January 1 to December 31 of on each non-election year.



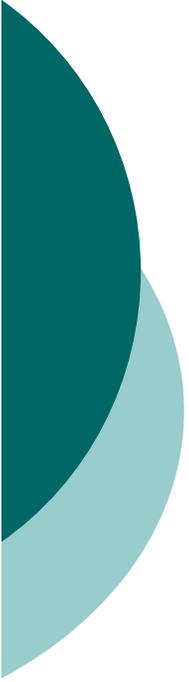
- 
- On the convening of the electorate, registration is suspended
  - The law says the electoral list should carry the name, date of birth, profession and residence of each voter
  - There must have been resident in the neighbourhood for at least 6 months
  - It is a right to be registered
  - Nobody should be registered twice on the electoral registry



## Stage II

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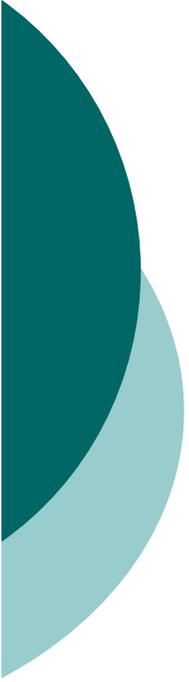
- Candidates must submit application to run for various positions to relevant authorities.



## Stage III

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- Campaigns begin 15 days before polls and ends midnight on the eve of poll. (Sections 64 - 74)



## Stage IV

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- The number of polling stations and their various locations must be determined and made known to the public.
- Voting materials such as ballot boxes, ballot papers, ballot papers must be produced and made available in each polling station.
- Polling takes place on a single day from 8 am to 6 pm (Section 51)



- 
- The voter is identified on entering the polling station, presents his voting card
  - He is given an envelop, the various ballot and he enters a voting booth where he puts the ballot of his choice in the envelop.
  - He drops the other ballots in the garbage bag reserved for the purpose and proceeds to put the envelop containing the ballo of his choice into the polling box.



- 
- The commission must make sure that he has just one envelop to drop into the polling box.
  - A voter can be assisted by someone else to vote provided the person is not a candidate for the election.
  - The voter's finger dipped into an indelible ink as proof of his vote. His voter's card is also stamped with the ink. The date is written on the card also.



- 
- All those present in the polling office should be allowed to vote even after closure of voting.
  - Counting is done as follows:
  - Voters who want to watch the vote counting are allowed to do so.



- 
- The ballot box is opened and the envelopes verified
  - One of the polling officers pulls out from each envelope the ballot and passes to the next officer who reads in a loud voice the name on the ballot and it is taken down by two other officers on the a sheet.



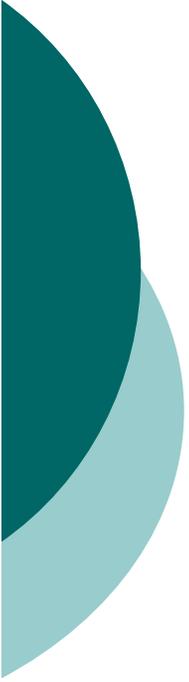
- 
- Disqualified votes, the envelopes, ballots found without envelopes, empty envelopes are attached to the result sheet
  - Results obtained are announced on the spot immediately



- 
- The results are put on a result sheet and copies are made according to the number of polling officers and the original copy is forwarded to president of the divisional vote counting commission.
  - After polling results should be made known there. (Section 77 - 92)



- 
- Final results are compiled and by National Commission for the Final Counting of Votes and verified and proclaimed by the Constitutional Council (Section 29 - 31)



## Stage V

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- Settling of disputes when conduct of polls and results are contested through the constitutional court
- The constitutional court proclaims the result within fifteen days after the closure vote.



# Part Two

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## Problems and Irregularities

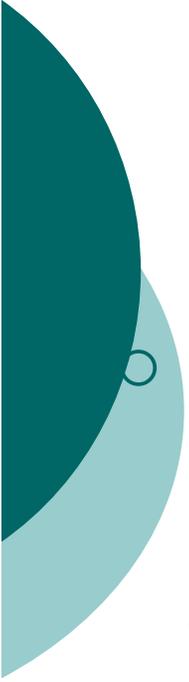


# Registration on voters' lists

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- Late start of recompiling of electoral rolls eg last presidential election started 3 months late
- Improper procedures, materials used for registration not uniform, use of typewriters, illegal members found in registration commissions, errors in recording technical details of voters eg age name etc.

*Source: NEO's report of the 2004 presidential elections page 38 and 44 states*



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« There was a distinct lack of consistency in the application of registration procedures across the country. Up until the last weeks of registration, there were no national procedural guidelines or manuals to conduct registration beyond the provisions of the electoral code itself, which was often interpreted in contradicting ways by local officials »

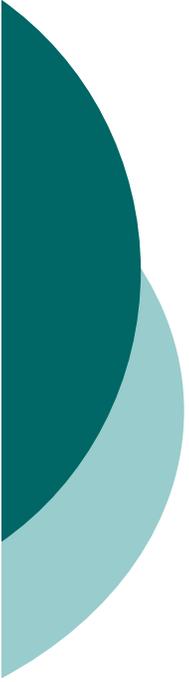
Source Commonwealth Observer group report 2004



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- Inadequate personnel to carry out registration
  - Absence of political parties in compilation committees



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- “Our observers observed in Akonolinga, the refusal by the Sub-divisional officer to register on the electoral list Rev. Pastor Sembe and members of his family for personal reasons and not electoral reasons”.



# Distribution of voters cards

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- Handing of voter cards to people who never registered
- Disorderly distribution of cards, in palaces by unidentified persons, in palaces by traditional rulers, exposure of cards without anyone available to control the collection of cards, meaning one can take the card of a neighbour, wife or enemy

Source Neo Report



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- Voters unable to access their cards and nobody present to inform them where to get information

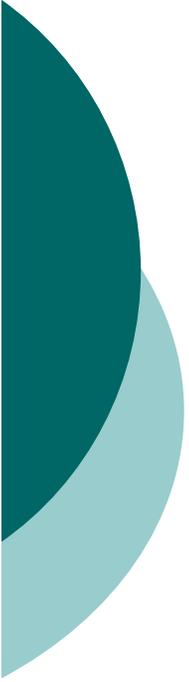


- 
- Concerning undistributed cards the Episcopal Conference report says “voter cards were not distributed to those to whom they pertained but to third persons while at the same time giving them voting instructions, they were also shambles and confusions as concerns the destinations of these cards.”



- 
- “Little control was exercised over the distribution of voter registration cards, thus creating an opportunity for multiple voting and underage voting. Handful of cards were repeatedly offered to the observers as proof of a lively market in voter card trafficking”.

Source: National Democratic Institute Report Presidential Elections 1992



# Campaigning

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- High disqualification rate for candidates in 2004 elections 65 percent
- Huge difference between ruling party campaigns and the others due to huge disparity in funds source: Source Commonwealth report
- Government officials, ministers etc start campaigns long before others Source:



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- Use of public material and funds for campaigning by ruling party
  - Uneven allocation of airtime by public media in the favour of ruling party



# Polling

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- III location of polling stations (Neo Report)
- Positioning of voters in polling stations which are far off from where they live.
- Voter intimidation and influencing (Neo Report)
- Peeping in polling booths



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- Vote padding
  - Arrangement of ballots highlighting a particular party
  - Presentation of other ballots to show proof of voting for required party



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- “We came across many irregularities. These ranged from one station at which the number of votes cast exceeded the number on the register, to a few where underage voters were allowed to vote, to several others where the ballot boxes were unsealed, to some where voting continued even when some of the ballot papers were missing”

Source: Commonwealth report page 36



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- “Voters’ Registers were largely not posted at polling stations the day before the election. In effect, public access to the registers was limited, and the process was not ‘user-friendly’”.

Source: Commonwealth Observer Group Report 2004 Presidential elections



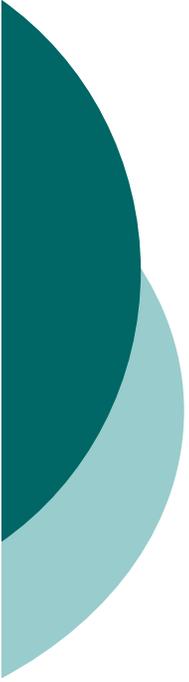
- 
- Corruption and influencing of party representatives (Neo Report)
  - Late opening of polling stations (Neo Report)
  - Administrative authorities insisting on party representatives to present written authorisations (Neo Report)
  - Polling booths not secret enough (Commonwealth report and Neo Report)
  - Importation of voters



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- Multiple voting and indelible ink not indelible (Neo Report)
  - Improperly sealed ballot boxes (Commonwealth Report)
  - Improper positioning of waste basket (Neo Report)



- 
- Overbearing presence of traditional rulers elites administrative officers around polling stations
  - Chasing of political party representatives in polling station
  - Poor filing of report forms at polling stations
  - Absence of adequate lighting conditions
  - Absence of citizens at polling stations to assist in ballot counts
  - Fake voting centres and electoral rolls



## Transmission of ballots and polling station materials

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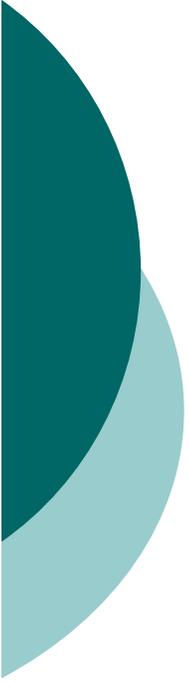
- No clear security
- No control by independent observers or political parties during transmission



# Centralisation of votes

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- Heavy presence of administration
- Absence of some parties concerned



# Proclamation

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- Too slow tallying
- Late proclamation



# Contesting

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- Almost always thrown out  
opposition contests



## Other problems

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- Absence of opinion surveys
  - Subvention to private owned media organs by government not healthy because they then feel it necessary to have an obligation to the paymaster
  - Ownership or financing of these media organs is done by politicians
- [http://www.youngcommonwealth.org/shared\\_asp\\_files/GFSR.asp?NodeID=141396](http://www.youngcommonwealth.org/shared_asp_files/GFSR.asp?NodeID=141396)