

**Report of the Portfolio Committee on Foreign Affairs on the Comoros Presidential Elections: SA Observer team, dated 12 June 2006**

**1. INTRODUCTION**

- Within the framework of the national reconciliation process coordinated by the AU and in response to the request of the Comorian authority, the international community deployed observers to assess the conduct of the Presidential Elections of 14 May 2006 in the Comoros.
- In pursuance of the Peace and Security Council decision taken at its 47<sup>th</sup> Session held in Addis Ababa, Ethiopia on 21 March 2006, the Peace and Security Council requested the African Union Commission to coordinate the efforts of the AU partners in the Comoros in order to facilitate the smooth holding of the election process.
- South Africa and the African Union (AU) have been pivotal in securing the first round of elections (Primaries). This task emanates from the engagement by President Mbeki as well as Minister Dlamini Zuma in her capacity as Chairperson of the Countries of the Region on the Comoros.
- In terms of the Union Constitution of Comoros, the position of President rotates every 4 years amongst the three Islands (Grand Comoros, Moheli and Anjouan).

**2. COMPOSITION DELIGATION**

A delegation of 10 members, consisting of five MPs, namely, Mr. DJ Sithole, Ms. M Maunye, Ms. A Van Wyk, Mr. P Smith, Mr. A Steyn and Mr. F Kgodumo of the Youth Commission, Mr. A Mali of the South African chapter of ECOSSOC and officials of DFA (Department of Foreign Affairs), Amb. C Seleka, Mr. S Mhlana and Ms. M Kekana arrived on the 23 April 2006 in the Comoros.

**3. PROGRAMME**

- Ambassador Mabeta of South Africa introduced the delegation to Minister Madeira, the Political head of AMISEC and
- Ambassador Mouraad of the AU,
- The Military leadership of AMISEC, Col Sibanyoni and Col Schoeman.
- The delegation was briefed on the general political situation in the Comoros and the expectations of AMISEC given the weaknesses discussed in the body of this report.

### 3.1 MEETINGS WITH STAKEHOLDERS

1. Union President, Mr. Azali Asoumani
2. Minister of Foreign Affairs
3. President of Grand Comoros, Mr. Abdou Soule Elbak
4. President of Moheli, Mr. Faull
5. President of Anjouan, Mr. Mohamed Bacar
6. Candidates, AA Sambani, M Djannfari and I Halidi
7. The Constitutional Court
8. International Community
9. All three Island CIECs (Comoros Island Elections Commissions) and the CNEC (Comoros National Elections Commissions).

### 4. RESULT OF THE PRIMARY ELECTIONS, 16 APRIL 2006, IN ANJOUAN

On 16 May 2006, Primaries were held with 13 Presidential candidates from Anjouan contesting the elections. The Primaries determine the top three candidates that then contest the National President Elections. The result of the Primaries on Anjouan was:

A Sambani	26%
M Djaanfari	14.44%
I Halidi	14.30%

#### 4.1. Evaluation of the 1<sup>st</sup> Round of Primary Elections in Anjouan 16/04/06

A. Irregularities were noted in the following voting stations:

- i) Nyumakele Region
  - Voting Station of Ongojou 1
  - Voting Station of Mironroni
- ii) Sima Region
  - Voting Station of Nindri
  - Voting Station of Nindri 2

B. Delays in the delivery of election material was noted as one of the critical weaknesses of CNEC as the late arrival of material resulted in NyuMakhele region's voting stations opening as late as 13h00. Due to the late opening and other delays, some stations were allowed to go beyond the 18:00 closing time.

Sudden changing of polling station presidents resulted in voters in the affected areas refusing to vote.

C. The International Community and AMISEC were also criticized. It was noted that AMISEC personnel were not in every voting station despite

explanations that the Military was efficiently deployed and that they were mobile to deal with any difficulties within 10 minutes. The expectation remained that AMISEC are required to be placed at every polling venue. AMISEC was specifically pressured to take over the elections from the CNEC, as people felt nervous with the performance of the electoral body.

- D. It was noted that electoral officials in Anjouan gave in to political pressure and flouted CNEC procedures.
- E. The delegation was briefed about attempts from a certain section of the political spectrum of the Comoros, arguing for the annulment of the elections due to perceived irregularities in the above mentioned regions and voting stations. All three Island CIECs raised a concern regarding the non payment or late payment of accounts from the side of CNEC.
- F. During the first week of the delegation's visit in the Comoros, several events took place on the Island of Moheli that had the potential to create uncertainty on the ground. The first was related to a march by the military and the second with a strike action at the Island's harbor. Both these issues were addressed with the relevant role-players and steps were agreed upon to address the situation and ensure that no repetition of it takes place.

#### **4.2. Corrective steps to remedy the identified weakness for the upcoming 2<sup>nd</sup> round of Union Presidential elections**

A workshop was held with CNEC, all three CIECs, IEC, Observers and AMISEC leadership to work through identified problems and agree on corrective actions to be taken and to allocate specific responsibilities to individuals and bodies.

The following recommendations came out from the workshop:

- Increase the Military Component of AMISEC,
- Increase Civilian Observers and improve their visibility,
- Appointment of Voting Station Staff to be done in time,
- IEC to train all election Staff,
- All election material to be dispatched in time by CIEC with AMISEC securing the material,
- Preparations of material to all voting stations to also be done in time,
- IEC and Observers be deployed in time,
- Arrangements are made between UNDP, CNEC and the three CIECs to address the late payment of accounts and to ensure that it does not happen again.

## 5. ELECTION DAY

### Preliminary results of the Presidential Elections of 14 May 2006.

The preliminary results for the Presidential elections held on 14 May 2006, was issued on 16 May 2006 by the Minister of Interior, who is also in charge of the elections. The Constitutional Court will issue the official announcement of the results no later than Thursday, 18 May 2006.

The following are the summarised preliminary results for the autonomous island of Grande Comoros, Anjuoan and Moheli:

Candidate	Grande Comoros	Moheli	Anjuoan	Total
Sambi	64,35%	74,72%	45,70%	58,28%
Halidi	29,50%	17,86%	27,65%	28,01%
Djaafari	6,15%	8,43%	26,65%	13,72%

## 6. POST ELECTIONS

- The AU and International observers issued a statement on 16 May 2006 declaring the elections free, fair and transparent. The SA/AU observers were deployed to the three islands to cover all the 624 voting stations. Three members were deployed in Moheli, five members in Anjuoan and five members in Grand Comoros.
- Other observers come from the Francophone, Arab League, UNDP, Indian Ocean Commission, France, China and the USA.
- The voting process was conducted smoothly in almost all voting stations. There were isolated incidents of intimidation against some electoral officials and attempts to fraudulently cast votes by using forged ballot papers. The general observation from all observers was that there were no acts of violence and that the general conduct of the Comorian people was commendable.
- Errors on the voters roll were noted. One voter card number was used for up to five different voters and this opened the voters roll to manipulation.
- The SOMA agreement tasked AMISEC with the responsibility of distributing the voting material to all voting stations. Voting started slightly late in some of the voting stations, with a few voting stations opening very late due to inaccessibility and late delivery of materials.

- In all voting stations were officials, party agents for each candidate and a member of the AMISEC. It is important to note that certain voting stations had no AMISEC presence but a contingency plan was devised whereby AMISEC patrolled around these areas.
- AMISEC was also tasked with the rollback of all voting material including envelopes with the results, for each island, destined for the Constitutional Court.

## **7. GENERAL OBSERVATIONS**

- Daily meetings were held between members of AMISEC, CNEC and the international community to discuss matters regarding election preparations and to overcome anticipated problems that might arise during the elections.
- Training of electoral staff was minimal due to poor logistical planning.
- Lack of Professionalism and poor communication was noted in some members of the IEC.
- The question of how South Africa's Institutions relate to each other when they are on deployments outside the country must be discussed. The approach adopted on the deployment of extra troops from RSA to the Comoros is a critical point in hand. The military informed all stakeholders in the Comoros and international community about the 850 troops to be deployed by RSA just before the elections. It was the view of the RSA Diplomats that the matter was best placed between the AU and the RSA Capital and it should not be discussed in the AMISEC planning meetings. This view was not shared by AMISEC and the matter became a source of tension to a point where the AMISEC only kept Minister Madeira informed on developments. They made occasional announcements to the meetings without advising their diplomatic representative on developments. This situation created conditions that undermined both the status of South Africa and that of its Diplomats.
- The SABC was on the ground and they were unable to be assisted effectively by the AMISEC Media office. However, with the arrival of the Beeld journalist it was a different case. She was picked up and dropped at the airport by AMISEC and exclusive interviews were arranged for her.
- AMISEC Political Head, Mr. Madeira and IEC expert, Mr Steve Ngwenya confused the role of observers. In their view the IEC will be responsible for the deployment of AU, SA and other observers. They wanted observers to roll out and roll back voting materials and that observers should, together

with supervisors, do trouble shooting during Election Day. After intense debate it was agreed that observers should be allowed to observe elections as per the normal guiding principles of observations without being compromised by what the AMISEC Political Head and the IEC expert wanted them to do.

## 8. RECOMMENDATIONS

- Need to financially capacitate CNEC and CIEC's to be able to independently perform their duties in future.
- Intensive training and skills transfer to CNEC and CIEC's.
- Restructuring and depolarization of CNEC and CIEC's and the Constitutional Court.
- South Africa to consider assisting in the retraining of the Comoros Security forces.
- Reevaluation of the voter roll and Voters Cards and the improvement of its management.
- The AU mandate to be clearly spelt out to the Observers special envoys.
- The SA DFA needs to clarify it's responsibilities to the South African Observer Teams.
- The Institutional relationship to be clarified and streamlined, **(this relates to behavior that has the potential to undermine the Diplomatic representatives of RSA, not limited to this mission).**
- Institutional mandates in any mission to be communicated clearly to all involved so as to avoid the problems noted above.