



EUROPEAN UNION
ELECTION OBSERVATION MISSION
GUINEA BISSAU – GENERAL ELECTIONS
2014



PRELIMINARY STATEMENT

**Electoral Process Closer to Successful Conclusion
After Transparent, Orderly and Free Run-off**

Guinea Bissau, 20 May 2014

Summary

- Bissau Guineans went back to the polls on 18 May 2014 to elect a new president in a second round of the general elections of 13 April 2014. They freely exercised their right to vote in a generally peaceful and orderly environment.
- The transparency of the ongoing tabulation of results and the recognition by all stakeholders that the National Election Commission (CNE) is the only legally mandated authority to announce the results will bring the electoral process closer to a successful conclusion.
- EU EOM observers rated the process as either `very good´ or `good´ in almost all polling stations observed. No essential materials were missing and voting procedures were closely followed by the polling staff. There were, however, minor irregularities including ballot boxes not properly sealed and certificates of delivery at the Regional Election Commission (CREs) signed in advance by agents at the polling station. Also, some incidents were reported to and by the EU EOM observers on the eve of election day involving physical aggressions against supporters of one candidate in Bafata and threats against a campaign manager in Bissau.
- The National Election Commission (CNE) prepared for and administered the election process with the same high level of transparency as in the first round. New measures were introduced to ensure integrity of polling station protocols (*actas*) and the EU EOM observed election administration officials to be impartial and committed.
- Difficulties encountered during first round tabulation were overcome and resulted in less improvisation and an improved organization at all tabulation stages. The strong presence of party and candidate representatives and of delegates of the Public Prosecutors Office contributed to a highly transparent process. Early indications point to a strong voter turnout, with a slightly lower participation than for the first round.
- After receiving external financial and material support to alleviate the harsh financial conditions faced in the first round, both public and private media managed to keep voters informed about the electoral process offering regular information about the candidates' programs, the campaign period and election day developments. However, one newspaper again published an opinion poll violating the electoral law.
- This preliminary statement is delivered prior to the completion of the election process. The final assessment of the elections will depend, in part, on the conduct of the remaining

stages of the election process, in particular, the tabulation of results, and the handling of possible post-election day complaints and appeals. The EU EOM will remain in country to observe the final stages of the process.

The European Union Election Observation Mission (EU EOM) has been present in the country since 19 March 2014 following an invitation from the National Election Commission (CNE). The Mission is led by Chief Observer, Krzysztof Lisek, Member of the European Parliament-MEP. In total, the EU EOM deployed for the second round 37 observers from 18 EU Member States across the country to assess the whole electoral process against international and regional obligations and commitments for democratic elections as well as the laws of Guinea Bissau. On election day, the EU observers visited over 230 polling stations in the nine regions of the country to observe voting, counting and tabulation of results. The Mission thanks the collaboration of the observation mission of the British parliament. The EU EOM remains in country to observe post-election developments and will publish a public final report containing detailed recommendations within two months of the conclusion of the electoral process. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005.

Preliminary Findings

Background

Bissau Guineans went back to the polls on 18 May 2014 to elect a new president after none of the candidates were able to obtain an absolute majority (50 percent plus one vote) during the general elections on 13 April 2014. The two most voted candidates, José Mário Vaz (a.k.a. Jomav) from the African Party for the Independence of Guinea and Cape Verde (PAIGC) with 40.89 percent of the votes and independent Nuno Gomes Nabiam with 24.79 percent faced each other in a run-off. Thirteen candidates participated in the presidential election on 13 April and 15 political parties were on the legislative ballot. The Constitution provides for a semi-presidential system of government with separate elections for president and parliament and a five and four year mandate, respectively. The elections were called by a transitional government placed in power by the military after a coup soon after the first round of the presidential elections in April 2012. The PAIGC will again form the government after winning 57 seats in the legislative election. However, PAIGC saw its legislative representation fall 10 seats (it would have been 12 without the two seats won in the first vote of the diaspora after many years) while the Party for Social Renovation (PRS) showed a strong presence adding 13 seats to attain 41 of the 102 seats in the Popular National Assembly (ANP). The general elections saw not only a new generation of politicians replacing traditional and charismatic personalities but also a 23 percent increase in the number of eligible voters, who lowered to a record 10.72 percent the absenteeism rate in the 13 April elections. Women's representation at the ANP remained unchanged at 10 seats. The general elections were to be held one year after the empowerment of the transitional government but were postponed three times until finally held on 13 April 2014. The elections –entirely financed by the international community, including one-third by the European Union– were anxiously awaited by Bissau Guineans in hopes to allow the country to restore its constitutional normalcy and to create the democratic conditions to bring Guinea Bissau out of international

isolation, and to promote the changes and reforms necessary to guarantee stability and economic development as well as to discourage new military adventures.

Campaign Environment

The 15 days of campaign were peaceful, noisy, colourful but less intense compared to the first round; the two candidates showed the same strategy concentrating their efforts on a *tabanca-to-tabanca* (family communities) campaign instead of big rallies. The reason seemed to be both due to a lack of financial resources as well as result of a planned strategic approach to directly attract with personal messages and small encounters the votes of those groups who preferred other candidates in the first round. The current cashew harvest made it difficult to reach out the voters in some regions like Tombali and Quinara. According to the EU observers in the regions, the candidates also changed their generally conciliatory and collaborative speeches of the first round with one of promises of jobs and better days ahead. However, this time the speeches were blended with direct personal accusations involving, among others, a supposed embezzlement of state resources by the PAIGC candidate and an apparent participation in the dilapidation of natural resources by the independent candidate. Both candidates committed themselves to respect the results to be announced by the National Election Commission (CNE) during a ceremony with the transitional president and the international community. However, the PAIGC candidate was the only candidate present to reaffirm his commitment to a code of conduct in an initiative by the civil society and also the only candidate to attend a debate organized by the *Lusófona* University. In fact, the independent candidate was virtually absent from public events during the first five days of the campaign period for supposedly personal reasons but never officially explained. The EU observers reported only minor incidents during the campaign, such as the excessive force by the security detail of the PAIGC candidate during certain rallies in the regions. Vote buying continued to be widespread with offerings by both candidates of cash, bicycles, motorcycles, food, construction material, fertilizers and even prayer rugs.

Election Administration

Preparations and activities for the second round of the presidential vote were performed efficiently and with a high level of transparency by the National Election Commission (CNE) and citizens were able to freely exercise their right to vote. EU EOM observers assessed positively the work of the election administration at the regional level and noted that despite allegations of pressures, electoral officials were well-prepared and performed their duties efficiently. All sensitive election materials were in-country on time to be transported and distributed to the regions according to the election calendar. The CNE ordered printing of 805,250 ballot papers for the 775,508 registered voters. This gave a 3.8 percent contingency, which was an improvement on the first round when no extra ballots were ordered.

A comprehensive national refresher training of polling station staff was not envisioned for the second round; however, some CREs held sessions with polling station presidents and secretaries regarding reconciliation of ballot counting and procedures for filling out polling station protocols. The CNE distributed a two-sided 'cheat sheet' to staff comprised of a check list for establishing the polling station and a reminder of how to sum the number of electors who voted by counting all cast ballots (blank+invalid+challenged+valid). As a security measure against

fraudulent behavior, CREs presidents signed and stamped polling station protocols (*actas*). Once again, the CNE activated 1,000 civic education officers who over the 15 day civic education period purportedly focuses on zones where high numbers of invalid and blank ballots were cast. As in the first round, EU observers questioned the adequacy of instruction efforts and signaled the lack of appropriate materials (no sample ballot) and method. New CNE spots were broadcast on community radios. Advanced voting was carried out in four of the nine regions and with a higher participation compared to the first round.

Early indications pointed to a strong voter turnout, with perhaps a slightly lower participation than for the first round. This might be explained by the cashew campaign and voter fatigue. The ECOWAS Mission in Guinea Bissau (ECOMIB) and the Guinea Bissau Rapid Reaction Police units remained based at CREs to secure election materials until after the final announcement of second round results.

Legal Framework

In a positive development for the 2014 general elections, amendments to the electoral laws were approved in 2013, enhancing the inclusiveness and transparency of the elections. These comprise the new voter registration and voter card with photo, the extension of the right to vote to the diaspora to include the Presidential vote and the approval of eight new media laws, all in line with previous EU EOM recommendations. Several legal shortcomings persist, however, such as the lack of normative power of the CNE, a deficiency in legal controls over party and campaign spending, no legal framework for domestic observation, and conflicts or lack of clear timeframes for holding exceptional presidential elections.

Participation of Women

The political participation of women remains low and does not reflect the existing female population or the higher number of registered women voters when compared to men. Entrenched cultural, religious and debilitating economic factors hamper women's full empowerment. Despite the ample legal framework embracing equality of rights and equal conditions for women's participation, implementation remains weak. The legal framework does not foresee special measures such as reserved seats for women or gender quotas that could bring about stronger representation of women.

As in the first round of elections, women again followed campaign events of presidential candidates and showed renewed interest in the election by coming out to vote in significant numbers. Many women participated as polling staff on election day, but few were represented in decision-making position within the election management bodies.

Civil Society and International Observers

As in the first round of the elections, civil society organizations showed a strong commitment to participate in the electoral process and deployed again a large number of monitors across the country prior to election day. Several women groups trained women to engage in election monitoring. As no legal framework allows for domestic observation, civil society groups

followed the process from outside the polling stations with obvious limitations to their observation capability. Their strong participation has again shown the necessity for suitable regulation. International observation groups contributed to the transparency of the electoral process. Over 200 observers from various organizations were deployed throughout the country a few days before election day to observe voting and counting at polling stations. The EU EOM joined other election observation missions in a call to all stakeholders to refrain from premature declarations of the outcome of the elections, and recognizing that the National Election Commission is the only legally mandated authority to announce the results. The seven observation missions (African Union – AU, the Community of Countries of Portuguese Language – CPLP, the Economic Community of West African States – ECOWAS, the International Francophone Organization – IFO, the Economic and Monetary Union of West Africa – UEMOA, and the delegation of the United States of America) also urged the candidates and political parties to respect the results and to resort exclusively to legal and constitutional means in seeking redress to any grievances.

Media

During the second round of the presidential elections voters had regular information from both public and private sources regarding candidates' programs and campaign developments. After receiving external financial and material support alleviating the harsh financial conditions faced in the first round, the media managed to keep voters informed about the electoral process and presented a generally balanced coverage of the campaign period. The state-run *Rádio de Difusão Nacional* (RDN) and *Televisão da Guiné-Bissau* (TGB) covered the entire electoral campaign and provided contestants the legally established free airtime. The state-run RDN as well as the privately owned radio *Sol Mansi* and radio *Bombolom* offered extended coverage of the campaign, broadcasting daily electoral news programs. *Pindjiguiti* and *Bombolom* violated Article 45 of the Electoral law and Article 6 of the Directive 1/2014 on the Code of Conduct of Media and Journalists by broadcasting respectively, propaganda of the independent candidate and political advertising for both candidates. The newspaper *Donos da Bola* violated Article 33 of the Electoral Law by publishing opinion polls. Community radios all over the country kept their informative role, enabling local citizens to be informed on the CNE electoral education campaign. Both public and private newspapers monitored by the EU EOM covered the electoral campaign in a balanced manner offering almost the same percentage of space to each presidential candidate.

Voting, Counting and Tabulation

The EU EOM observed 232 polling stations in urban and rural zones across the country. EU observers evaluated the voting process as very good or good in 97 percent of observed polling stations. Voting activities started on schedule at 07:00 hours and were conducted in a calm, orderly and transparent manner, without tensions, and with a strong voter turnout. There was a second day of voting at one polling station in Farim after the polling staff reported the voter list was incomplete. Polling stations were observed to have sufficient quantities of essential election materials and no shortages were reported. Voters almost always marked their ballots in secrecy and the transparency of the process was guaranteed by the strong presence of candidate representatives. As in the first round of elections, EU EOM observers continued to report that

across the country and in over 20 percent of visited polling stations ballot boxes were not properly sealed. Polling stations observed by the EU EOM were normally staffed by youth and continued to be presided over mostly by men. No significant irregularities or incidents and no complaints were observed or reported to the EU observers.

Polling stations closed at 17:00 hours in the same quiet and peaceful atmosphere observed during the day. Closing and counting procedures were rated by the EU observers as very good or good in all observed polling stations. Polling staff did not always follow established closing procedures or perform the necessary cross-check between the number of ballots cast and the number of entries in the manual voters' lists. The EU EOM did not observe any organized behavior that compromised the integrity of the vote. Candidate representatives were also present during closing and counting and there were few disputed ballots or complaints. In almost all observed cases candidate representatives signed and received copies of the results which were also posted according to established procedures.

The CNE surmounted difficulties encountered during first round tabulation when, despite the transparent conduct of electoral authorities, the EU EOM observed a visible lack of organization and improvisation at all stages that slowed the process. Tabulation of second round results was well-administered by electoral authorities and EU observers rated the tabulation process as very good or good in all observed regional tabulation centers. Transparency of the process was again guaranteed by the presence of party and candidate representatives and of delegates of the Public Prosecutors Office. The EU EOM continues to observe the tabulation of results and will remain in country to follow the remainder of the election process.

An electronic version of this Preliminary Statement is available on the Mission website www.moeuguineebissau.eu. For further information, please contact: *Silvia Norte*, EU EOM Press Officer, Tel (245)927-9978, E-mail: silvia.norte@moeuguineebissau.eu