



Elections – Africa Integrity Indicators Findings

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The Elections subcategory measures the independence of the election oversight agency, as well as access to state-owned media outlets. The first four of these indicators (19 - 22) focus on the election oversight entity, assessing whether the law guarantees the independence of the agency mandated to organize and monitor elections, as well as the *de facto* realities supporting – or contravening – that independence.

Independence of Election Oversight Entity

- Many oversight entities are legally independent but have an insufficient or limited mandate. Seventy percent of assessed countries have an oversight entity with legal independence, and 70% (38 of the 54) of the countries have laws that provide the mandate to review elections, issue binding decisions, and choose the cases to be heard by the agency. However, 30% lack these powers. For example, in Nigeria “INEC [Independent National Electoral Commission] has no powers to receive complaints and issue binding decisions on electoral matters. All enforcement of electoral cases falls to the courts. There is no section of the Electoral Act or Constitution that gives INEC any such powers, and all disputes are settled in court.” In some cases there is no independent entity at all – for instance, in Morocco, elections are conducted and overseen by the Ministry of Interior.**

Elections Indicators
19. In law, the independence of the agency/agencies mandated to organize and monitor national elections is guaranteed.
20. In practice, appointments to the agency/agencies mandated to organize and monitor national elections support the independence of the agency/agencies.
21. In practice, the agency/agencies mandated to organize and monitor national elections is/are protected from political interference.
22. In practice, the agency/agencies mandated to organize and monitor national elections make/s timely, publicly available reports before and after a national election.
23. In practice, candidates/political parties have equitable access to state-owned media outlets.

- Appointment processes commonly undermine the independence of the entity.** There are numerous examples of appointments made without following merit and being fully controlled by the executive. For instance, in Equatorial Guinea, the research notes, “In practice, sources affirmed that the JEN [National Election Commission] is controlled by the Minister of Interior, who continues to propose the majority of electoral authorities to the president, who makes the appointments through a presidential decree... Election officials continued to be appointed according to their affiliation to the ruling party and government officials. Officials are rarely removed, as they are expected to maintain their affiliation to the ruling party...” Twenty-one (39%) countries scored a 0 on this indicator, and another nine (17%) scored a 25, due to biased appointments.
- Merit-based appointments that support the entity’s independence are not common – but do exist.** Only eight countries (15%) earned high scores in this regard and evidence suggests strong merit-based appointment processes are being adhered to in these limited instances. For example, in



Benin candidates are appointed based on merit qualifications, and to avoid political bias two members are appointed by the majority, two by the opposition, and one by the collective of judges. Another example is Namibia, where “The positions of the director and commissioners (5) are advertised in public, and credible candidates are shortlisted. A selecting committee is in place to conduct interviews. This panel consists of Law Society, ombudsman and high court judge, and these three institutions make selections and preside over the interview process and shortlists of credible commissioners. Interviews of candidates are open to the public. In the case of the appointment of the director, the commissioners recommend three to five names to the president in order of performance from the interview process.”

- **Lack of protection from arbitrary removal is relatively common, which makes oversight entities more vulnerable to political pressure.** For example, in Sudan the research notes that members of the National Elections Commission serve at the will of the president, and there is no system of due process to protect them from arbitrary removal or replacement.
- **A third of the countries show significant improvements in *de facto* independence of the election entity.** One example is the Central African Republic, where a new system’s implementation earned score improvements from a 25 score in 2014 to 75 score in 2015 for indicator 20, and from 25 to 100 for indicator 21. A new 2013 electoral code reformed the National Authority for Elections (ANE) and implemented an improved system of merit appointments to term-protected positions, based on a selection committee for assessing merit and a consensus decision from a committee composed of political parties and civil society representatives. The prior system was unbalanced, and allowed for direct nomination and appointment of the Chairman by the President, bypassing merit considerations. Another notable improvement is found in Guinea-Bissau, where a 2014 reorganization of the National Electoral Commission (CNE) included four magistrates, rather than proportional political party representation. With the newly formed CNE magistrates being protected from removal during their term, the indicator received a high score of 75 for indicator 21, noting that though “there have been various political pressures from the military and political parties through unsuccessful financial inducements and threats, the CNE was able to guarantee their independence and not be influenced by other branches of power.”
- **Election oversight entities do not publish meaningful reports for citizens.** Only five countries (9%) earned a high score (75 or 100) here and the vast majority (49 or 91%) produced one or fewer substantial reports during the most recent election. In many cases, the only publication consisted only of the election results, with no substantive information at all published on how the election itself was conducted, or on the work of oversight entities.

State-Owned Media

- **The majority of countries assessed show clear evidence of state media bias in elections.** Only nine (17%) countries earned a score of 75 or higher, 21 countries (39%) earned a 0 score, and another



nine (17%) earned a 25, evidencing the prevalence of biased state media in elections. For example, in the Seychelles a low was earned due to ruling party control and monopolization of the state media. Recommendations have called for free and equal broadcast time, but no steps towards implementing the recommendations had been taken during the period of study. Zambia and Zimbabwe also experience the ruling parties' influence over state owned media: in Zambia, state-owned media doesn't report government violence that could affect the ruling party's electoral chances, and in Zimbabwe, the ruling party reportedly receives more access and better treatment (while most private media outlets are more aligned with the opposition).

- **The exceptions to the biased media are few in number, but increasing in strength.** Namibia earned a much-improved score in 2015 based on significant improvements. Earlier research covering the 2009 election (the most recent at the time of research) noted significant bias in state media coverage. However, the latest research found several changes made that improved the situation in the 2014 election cycle: “The Namibian Broadcasting Corporation, a state medium, has set up an Election Task Force that is re-evaluating the parastatal's election policy. The task force also ensures allocation of free airtime for all parties as well as paid airtime too. The airtime to political parties will not only be free but also equal and necessarily equitable. ... During this study period, also a pre-electoral period, all parties have received equitable airtime on NBC. Discussion programmes hosted political leaders from across the divide. Even one hard-hitting show, One on One, hosted many political leaders without regard to which party they belong to.” Sao Tome and Principe, for the first time in history, has recently made available 10 minutes of airtime at 8 p.m. for different parties for debates of local, regional and parliamentary elections.

Observations

- While the lone *de jure* indicator held constant, the four *de facto* indicators each gained.
- In 2015, the highest scoring countries in this category were Benin, Tunisia, South Africa, Madagascar, Sao Tome and Principe, and Zambia. Of this group, Benin, South Africa, Madagascar, and Sao Tome and Principe exhibited improvements, and Tunisia's score slightly deteriorated.
- In 2015, the lowest scoring countries were The Gambia, Swaziland, Equatorial Guinea, Tanzania, Somalia, Morocco, Eritrea, and Algeria. Of these, the scores of 6 held constant between 2014 and 2015, while both Algeria and Swaziland showed deterioration.



Regional Trends¹

- Of the six Transparency & Accountability subcategories, Elections shows by far the least score variation among regions. Here, the difference between the highest scoring region (West Africa) and the lowest scoring region (Central Africa) is only 15.58 – significantly less than the other five subcategories, four of which show a divide of more than 21 between the highest and lowest scoring regions.

1.3 Elections	2014 Ave	2015 Ave	Change
Overall	38.80	42.69	3.89
East Africa	32.92	35.00	2.08
Central Africa	31.67	41.11	9.44
North Africa	34.38	33.75	-0.63
Southern Africa	40.42	45.42	5.00
West Africa	45.67	49.33	3.67

- Between 2014 and 2015 research rounds, Central Africa showed significant improvement as a region (+9.44) as did Southern Africa (+5.0).

It is important to note that aggregate scores mask very substantial - and very informative – country-level differences that can be found in the disaggregated data. An interested user benefits from exploring the data in detail, focusing on individual indicators and the country context described in the researcher’s comment and sources. The indicators are designed to be granular in order to provide actionable information for each country covered, so should be viewed individually for the clearest view of each country’s performance - and opportunities for improvement.

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¹ Regions are here defined as:

- Central Africa:** Cameroon, Central African Republic, Chad, Republic of Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon, Sao Tome and Principe
- East Africa:** Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, South Sudan, Tanzania, and Uganda
- North Africa:** Algeria, Egypt, Libya, Mauritania, Morocco, Sudan, and Tunisia
- Southern Africa:** Angola, Botswana, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Zambia, and Zimbabwe
- West Africa:** Benin, Burkina Faso, Cape Verde, Cote d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo



1.3 Elections	2014 Score		2015 Score		2014-15 Change	
	2014	Rank	2015	Rank	Score Change	Rank Change
Benin	70.0	3	90.0	1	+20.0	+2
Tunisia	95.0	1	90.0	1	-5.0	+0
South Africa	65.0	5	80.0	3	+15.0	+2
Madagascar	55.0	12	75.0	4	+20.0	+8
Zambia	60.0	8	70.0	5	+10.0	+3
Sao Tome and Principe	60.0	8	70.0	5	+10.0	+3
Ghana	60.0	8	65.0	7	+5.0	+1
Rwanda	60.0	8	65.0	7	+5.0	+1
Namibia	40.0	22	65.0	7	+25.0	+15
Burkina Faso	70.0	3	65.0	7	-5.0	-4
Cape Verde	65.0	5	65.0	7	+0.0	-2
Mali	80.0	2	60.0	12	-20.0	-10
Uganda	50.0	16	60.0	12	+10.0	+4
Comoros	65.0	5	60.0	12	-5.0	-7
Chad	45.0	18	60.0	12	+15.0	+6
Congo DRC	50.0	16	60.0	12	+10.0	+4
Guinea-Bissau	35.0	26	55.0	17	+20.0	+9
Mauritius	55.0	12	50.0	18	-5.0	-6
Liberia	35.0	26	50.0	18	+15.0	+8
Senegal	55.0	12	50.0	18	-5.0	-6
Egypt	35.0	26	50.0	18	+15.0	+8
Zimbabwe	45.0	18	45.0	22	+0.0	-4
Niger	55.0	12	45.0	22	-10.0	-10
Togo	40.0	22	45.0	22	+5.0	+0
CAR	20.0	43	45.0	22	+25.0	+21
Kenya	45.0	18	40.0	26	-5.0	-8
Sierra Leone	30.0	30	40.0	26	+10.0	+4
Malawi	45.0	18	40.0	26	-5.0	-8
Nigeria	40.0	22	40.0	26	+0.0	-4
Mozambique	35.0	26	40.0	26	+5.0	+0
Cote d'Ivoire	30.0	30	40.0	26	+10.0	+4
South Sudan	30.0	30	35.0	32	+5.0	-2
Cameroon	25.0	38	35.0	32	+10.0	+6
Libya	30.0	30	35.0	32	+5.0	-2
Lesotho	30.0	30	30.0	35	+0.0	-5
Ethiopia	20.0	43	30.0	35	+10.0	+8
Congo Brazzaville	25.0	38	30.0	35	+5.0	+3
Gabon	30.0	30	30.0	35	+0.0	-5
Burundi	30.0	30	30.0	35	+0.0	-5
Mauritania	40.0	22	30.0	35	-10.0	-13
Guinea	20.0	43	30.0	35	+10.0	+8
Seychelles	20.0	43	25.0	42	+5.0	+1
Angola	20.0	43	25.0	42	+5.0	+1
Djibouti	25.0	38	25.0	42	+0.0	-4
Sudan	30.0	30	25.0	42	-5.0	-12
Botswana	25.0	38	25.0	42	+0.0	-4
Somalia	20.0	43	20.0	47	+0.0	-4
Algeria	25.0	38	20.0	47	-5.0	-9
Morocco	20.0	43	20.0	47	+0.0	-4
Eritrea	20.0	43	20.0	47	+0.0	-4
Tanzania	10.0	51	10.0	51	+0.0	+0
The Gambia	0.0	53	0.0	52	+0.0	+1
Swaziland	10.0	51	0.0	52	-10.0	-1
Equatorial Guinea	0.0	53	0.0	52	+0.0	+1

