



**AFRICAN UNION ELECTION OBSERVATION MISSION TO THE
4TH JUNE 2023 LEGISLATIVE ELECTIONS IN THE
REPUBLIC OF GUINEA BISSAU**

PRELIMINARY STATEMENT

Bissau, 6th JUNE 2023

I- INTRODUCTION

At the invitation of the Government of the Republic of Guinea-Bissau, the Chairperson of the African Union Commission (AUC), His Excellency Moussa Faki MAHAMAT, deployed an African Union Electoral Observation Mission (AUEOM) to the proposal of the Commissioner for Political Affairs, Peace, and Security of the African Union (CPAPS/AU), H.E Ambassador Bankole Adeoye who enhanced the Mission by his effective presence. The AUEOM was led by H.E Joaquim Alberto Chissano, former President of the Republic of Mozambique. It was also supported by H.E Ovidio Manuel Barbosa Pequeno, Special Representative and Head of the AU Office in the Republic of Guinea-Bissau.

The main purpose of the mission, in accordance with its mandate, is to conduct objective, impartial, and relevant electoral observation accompanied by constructive pro-democracy recommendations aimed at further strengthening the organization of the next elections. But also, to contribute more to the promotion of the consolidation of pluralist democracy and the rule of law in the Republic of Guinea-Bissau.

The Mission includes: 40 African Short-Term Observers (STO) from the following 21 African States: Algeria, Angola, Benin, Burundi, Cameroon, Central African Republic (CAR), Chad, Cape Verde, Democratic Republic of Congo (DRC), Equatorial Guinea, Ethiopia, Ghana, Mozambique, Nigeria, Uganda, Senegal, Sierra Leone, South Africa, Togolese Republic, Zambia and Zimbabwe. It is made up of eminent personalities and experts from the continent, namely: Diplomats accredited to the African Union in Addis Ababa, Members of the Pan-African Parliament (PAP), Heads of Election Management Bodies (EMBs); Academics, Independent Experts specializing in electoral administration, assistance and observation as well as Members of Civil Society Organizations (CSOs) and Youth in Africa. The Mission is coordinated by the staff from the Democracy and Elections Unit of the Political Affairs Peace and Security Department of the AU. The Mission will stay in Bissau from May 29 to June 08, 2023.

This AUEOM follows the Pre-electoral Assessment Mission which was deployed in the country from December 11 to 19, 2022 in order to assess the socio-political situation with a view to its deployment during these elections.

The mission met with national stakeholders, accredited members of the International Community as well as internal and external Electoral Observation Missions deployed in the country to observe the ballot and discuss on the progress of the electoral process and the political situation.

The mission was able to follow the end of the electoral campaign, the electoral silence, particularly on the eve of the ballot, and the vote, followed by the counting of the ballot boxes and the release of the results.

The Mission had deployed seventeen (17) pairs and trinomial teams, including one in each of the eight (08) regions of the Republic of Guinea-Bissau: Bafatá, Biombo, Bolama-Bijagos, Cacheu, Gabu, Oio, Quinara, and Tombali, and seven (07) teams in the Autonomous Sector of Bissau.



Throughout the election day, the AUEOM was able to observe 274 polling stations, including 142, or 58%, in urban areas and 132, or 42%, in rural areas.

This preliminary declaration of the AUEOM will be followed by a more detailed final report accompanied by recommendations taking into account the observations collected on the entire electoral process in order to further strengthen democratic consolidation as well as national peace and unity.

II- OBJECTIVE AND METHODOLOGY OF THE MISSION

The Mission contributes to the smooth running of the ballot in that it ensures, in accordance with its mandate, its compliance with the national legal framework and the relevant international and continental or even regional standards, in particular: the Constitutive Act of the OAU and that of the AU, the Universal Declaration of Human Rights (UDHR), the Charter of the United Nations (UNC), the International Covenant on Civil and Political Rights (ICCPR), the Declaration of Principles for the International Elections Observation, African Charter for Democracy, Elections and Governance (ACDEG), OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, Accra and Malabo Declarations on unconstitutional changes of Government; the African Union Guidelines for Election Observation and Monitoring Missions, the continental institution's Vision 2030 as well as Aspiration 3 of the AU Agenda 2063

The mission aims to further induce the consolidation of democratic gains and contribute to the peaceful and regular conduct of elections. Indeed, the election of rulers through the free expression of universal suffrage embodied by the sovereign people via the voters constitutes the primordial ontological source of the legitimization of democratic power in contemporary States. In this wake, the AUEOM aims to strengthen the conduct of the ballot, as the African Union always does in its Member States.

This preliminary statement is mainly based on the objective, neutral, independent, and impartial empirical observations made by the mission's experts during the electoral period covered by the STOs at the end of the electoral campaign and on polling day. It also takes into account the discussions that the mission had with internal and external stakeholders as well as the refined results resulting from the analysis of the Election Day forms. These important elements serve as the basis for the drafting of this Statement.

III- POLITICAL CONTEXT OF THE ELECTIONS

The election took place in a generally peaceful environment against a backdrop of political divisions between the stakeholders in the electoral process. Indeed, the blocking of the proper functioning of the People's National Assembly (PNA) to appoint in time the new members of the National Electoral Commission (CNE), correlated to its dissolution by the President of the Republic, had an impact on the system's policy.

In addition, the failed coup attempt against the Head of State has further reinforced the mistrust between the actors on the national scene. There is also the appointment of the President of the CNE as President of the Supreme Court of Justice and his interim replacement by the Executive Secretary of the CNE as President of this Election Management Body (EMB).



In this context, political tension increased, but nevertheless, consultations took place under the aegis of the President of the PNA at the request of the President of the Republic. Faced with constant dissensus, civil society organizations (CSOs) and international actors have mobilized to help transcend the political crisis. The essential involvement of the Economic Community of West African States (ECOWAS), supported by the African Union (AU) and the United Nations (UN), made it possible to go to the elections of June 4, 2023. This beneficial regional and international involvement enabled national political actors and EMBs to agree on the need to hold the ballot based on a global consensus on the rules of the game. Decision No. 01/2023 rendered by the Supreme Court of Justice on May 8, 2023, on referral confirms the legality of the CNE as well as the position of the President of the PNA to replace his interim team during the period of dissolution of Parliament.

In this momentum of relaxation, a Code of Good Conduct was signed by the majority of political actors.

However, following this, recriminations are still noted by the AUEOM during its meetings with the stakeholders in the electoral process, but without leading to a boycott of it. This denotes a political commitment to ensure that we follow the path of democratic peace and legal and legitimate recourse to gain power for the opposition or retain it, if necessary, for the majority.

In addition, the election was held in a complex geopolitical and socio-economic context due, first of all, to the global repercussions of the COVID-19 pandemic crisis and the Ukrainian conflict, which impacted the competitiveness of the national economy. Despite this global situation and its internal repercussions, the political actors agreed to go to the elections peacefully. The President of the Republic has thus convened the electorate for June 4, 2023, after having made some postponements of the date of the current election in 2022. With this in mind, 20 political parties and two (2) coalitions are in the running to win the votes of their fellow citizens.

During its stay in the Republic of Guinea-Bissau, the Mission did not note any major incident brought to its attention or observed by its STOs. This denotes a pledge of political maturity by the people and the Bissau-Guinean actors.

IV- MISSION ACTIVITIES

The Mission met with the following relevant national and international personalities and institutions :

- the President of the Republic ;
- the Minister of Foreign Affairs, International Cooperation and Communities ;
- the Minister of Territorial and Local Administration ;
- the President of the Supreme Court of Justice ;
- Representatives of Election Management Bodies (EMBs), in particular: the National Electoral Commission (CNE); the General Directorate of Territorial Administration and Election Administration (GTAPE) and the Social Communication Council (SCC);
- the National Human Rights Commission (NHRC);
- the political parties and coalitions of the majority and the opposition contesting ;
- the Civil Society Organizations (CSOs) working in the electoral field, in particular: the Monitoring Unit for the Elections in Guinea Bissau;



- as well as the Resident International Representatives, namely: the ECOWAS Representative; the Community of Portuguese Language Countries (CPLP); the International Organization of La Francophonie (OIF); the G7+; and finally,
- the United Nations System (UNS) including the United Nations Development Program (UNDP).

V- ELECTION FINANCING

The Republic of Guinea-Bissau created a Democracy Fund, with which it financed part of the electoral process. Nevertheless, it was assisted by the International Community, in particular friendly States and the United Nations System (UNS), including the Trust Fund managed by the UNDP. However, public financing of political parties and candidates was not possible, and this created tensions among certain political entities met by the mission.

VI- ELECTORAL CAMPAIGN

The electoral campaign took place from May 13 to June 2, 2023 in a peaceful global climate in almost the entire country, in accordance with the relevant provisions of Articles 28 to 34 of Title III of Law No. 10/2013 of September 25 for the election to the Presidency of the Republic and to the PNA. May 3 corresponded to the electoral silence, which was respected by all the candidates, parties, and coalitions contesting. Political parties and coalitions have used various strategies to mobilize voters to vote in their favor. Broadcasts, debates, door-to-door, caravans, meetings, posters, and an equitable distribution of airtime of ten (10) minutes on the radio and five (05) minutes on public television were noted by the Mission. The daily running order of the candidates of the parties and coalitions in competition during the electoral campaign was determined by drawing lots published in the official journal. This constitutes a democratic step welcomed by the Mission.

In this context, the SCC ensured compliance with the standards of ethics and professional conduct for journalists and media covering the electoral campaign. The actors signed the aforementioned Code of Conduct, and this contributed in most cases to the fact that it took place in peace.

However, the Mission was seized of the accumulated delay in the delivery of electoral materials of the PAI TERA RANKA Coalition for the electoral campaign, which would have been blocked in a neighboring State. A letter was sent to the neighboring State to this effect by this coalition.

The mission advised the actors to remain calm and fair and urged them to promote democracy and national unity as well as legal remedies in the event of any disputes in all circumstances.

VII- RELEVANT FINDINGS ON VOTING DAY

This year, the National Electoral File (NEF) was completely innovative, with a new registration system put in place following its total overhaul. It has 434,009 voters registered, or 48.56%, against 459,609 women voters registered, or 51.44%. This makes an overall net of 893,618 voters. The national voters established in the country represented 844,087 registered voters, including 411,828 men and 445,974 women. This implies a stronger female representation among the voters registered in the NEF.



The AUEOM also noted that between the last legislative elections of 2019 and those of this year, there has been a clear increase in the number of voters registered inside the country, with a net increase of ten percent (10%) or 82,411 additional voters counted on the new NEF compared to the 761,676 registered five (05) years ago.

In addition, the total number of polling stations experienced a consecutive net increase from 3,134 in 2019 to 3,529 in 2023, an increase of twelve percent (12%).

This year, in addition to national voters, the number of voters registered in the diaspora was also significant. The vote concerned this category of Bissau-Guinean expatriate citizens established in Africa and Europe. In Africa, there were 17,922 registered, including 11,420 men and 6,502 women, distributed in the Republics of Cape Verde, Gambia, Guinea, Mauritania and Senegal. The majority of them are in Senegal, with 9,681 voters, including 5,566 men and 4,115 women.

Regarding the diaspora established in Europe, there were 17,894 registered, including 10,761 men and 7,133 women. The majority of them are located in Portugal, with 7,789 registered, including 4,605 men and 3,184 women.

Citizens who are eighteen (18) years old and who are endowed with their civil and political rights are voters if they wish to do so, if they have the voter card, and if their names appear on the electoral list of the polling station on election day. Registration on the electoral lists took place from November 10, 2022, to February 25, 2023. The election was held on June 4, 2023, without violence and in a peaceful manner. The Mission made the following major findings:

- ✓ the vote was ordered and the opening polling stations all opened and closed the ballot at legal time, i.e. respectively at 07:00 and 17:00 in accordance with the Electoral Law;
- ✓ of all the polling stations covered during the day of the vote, the AUEOM noted that there were: between 204 and 400 voters registered on average in the polling stations visited by the Mission;
- ✓ voters omitted from the electoral rolls of the polling stations, although holders of voter cards, were not authorized to vote in the areas visited by the AUEOM;
- ✓ the electoral staff was competent and the electoral material available in sufficient quantity in almost all the polling stations visited by the Mission;
- ✓ the National Defense and Security Forces (NDSF) demonstrated professionalism and discretion without any interference into the electoral process;
- ✓ Accredited International Electoral Observation Missions : ECOWAS, CPLP, OIF and,
- ✓ G7+ as well as the national and international media that have been accredited covered the day of the election in particular (Radio and Television of the Republic of Guinea-Bissau, Radio France Internationale (RFI), Portuguese Television, among others).
- ✓ Finally, the counting procedures were also respected and the delegates of the candidates received a copy of the Minutes of the results in all the polling stations observed by the Mission.



VIII- CANDIDATES, POLITICAL PARTIES AND COALITIONS CONTESTING

Article 10 of Chapter III on Passive Electoral Capacity of the aforementioned Law No. 10/2013 sets the electoral age at twenty-one (21) years to be a candidate for deputy. The election aimed to elect one hundred and two (102) deputies to the PNA, of which one hundred (100) at the national level and the remaining two (02) reserved for the Diaspora are distributed as follows: one (01) for Africa and the same for Europe.

The following Articles 11 and 12 establish the general and special ineligibilities for the election of deputies in the Republic of Guinea-Bissau.

The Supreme Court of Justice receives and publishes the final list of candidates in accordance with the provisions of Article 19 of the aforementioned Law.

The Mission noted that there were twenty (20) political parties and two (2) coalitions in competition during these legislative elections. These include: United People's Assembly, Democratic Party of Guinea-Bissau (APU PDGB); Revolutionary Patriotic Alliance (APR); Democratic Convergence (CD); African National Congress (CAN); Convergence for Freedom and Development of Guinea-Bissau (COLIDE – GB); National Patriotic Front (FREPASNA); Movement for Democratic Change – Group of 15 (MADEM G-15), Social Democratic Movement (MSD); PAPES; Republican Party for Independence and Development (PRID); United Social Democratic Party (PUSD); Guinean Workers' Party (PTG); National Unity Party (PUN); PALDG Party; New Party (PN); Party for Democracy and Development - Patriotic Movement (PPD-MP) – GUINE BOBU; People's Manifesto Party (PMP); Liberal Party of Guinea-Bissau (PLGB) and Social Renewal Party (PRS), and finally, Resistance of Guinea-Bissau – Bafata Movement (RGB-Mo).

The coalitions are as follows: "Coalition Platform of Inclusive Alliance - Terra Ranka (PAI)" composed of the five (05) parties, which are: the African Party for the Independence of Guinea and Cape Verde (PAIGC), UM PARA MUDENÇA, Social Democratic Party (PSD), Democratic Convergence Party (PCD), and Guinean Democratic Movement (MDG) on the one hand; and the "Coalition Democratic Party for Development (PDD)" composed of two (02) political parties, namely: the Democratic Party for Development (PDD) and the Patriotic Movement Guinea Novo (MPGN), on the other hand.

This year, 36% of the candidates were on the electoral lists as filed in the Supreme Court of Justice.

While the mission welcomed this effort, it noted that women are often placed in positions that are difficult to qualify for. This implies better promotion of parity by all actors, especially with regard to the mobilization of women noted during the electoral process and on polling day, taking into account the fact that they are a representative majority as voters in the NEF.

IX- VOTE COMPLIANCE WITH LEGAL PROCEDURES

The election of national assembly members of the PNA is primarily governed by the provisions of the Constitution as well as the Electoral Legislation of the Republic of Guinea Bissau of April 2014, in particular the Laws:



- ✓ No. 11/2013 of September 25 on the Electoral Register ;
- ✓ No. 10/2013 of September 25 for the election to the Presidency of the Republic and to the PNA ;
- ✓ No. 12/2013 of December 27 relating to the National Electoral Commission (CNE) ; and finally,
- ✓ No. 4/94 of March 9 ; among others.

X- VOTING PROCEDURES IN POLLING STATIONS

The election was held in accordance with the legal procedures in force and the standards of the AU in electoral matters. The secrecy of the vote was ensured by the polling stations visited. The prior verification of voters' fingers and their effective existence on the polling station's lists was systematically observed by electoral staff and noted by the Mission's STOs. Also, the use of indelible ink was observed in the polling stations, as well as the presence of the delegates of the candidates, who were able to freely exercise their rights throughout the voting process. The voting booth was used systematically. According to the statistics resulting from the observation of the poll, ninety-five percent (95%) of the ballot boxes were very well sealed; on average, there were between two (02) and six (06) sealed depending on the polling stations visited by the mission. The existence of stairs without access ramps was noted in seven (07) polling stations, and other cases of access difficulties were noted in 17 polling stations visited by the Mission.

XI- ASSISTANCE TO PEOPLE LIVING WITH A DISABILITY, PREGNANT OR BREASTFEEDING WOMEN AND THE ELDERLY

Election staff or a person of their choice provided assistance to voters living with a disability or reduced mobility, as well as to the elderly, pregnant, or breastfeeding women who voted in priority in the polling stations observed by the Mission.

If ninety-nine percent (99%) of the polling stations observed were accessible to voters, it turns out that all of them and the ballot boxes were placed in a visible way to the public. However, the AUEOM could not ascertain the existence of bulletins in Braille for the visually impaired.

XII- PARTICIPATION OF WOMEN AND YOUTH IN THE ELECTORAL PROCESS

Women and youth were well mobilized on the day of the vote. Given that they constitute the majority of the electorate, they were very dynamic both in the holding of the polling stations and in the exercise of their civil and political rights. The Mission noted that there were 30.56% of delegates (women) representing candidates, parties, and coalitions contesting and 49.09% of women among the electoral staff in the polling stations visited.

XIII- CIVIL SOCIETY

The Civil Society played an important role throughout the electoral process, including on polling day. It fulfilled a salutary watchdog role on the day of the vote in the national observation of the elections. It published minutes of the ballot, taking into account its observations on the ground. His constructive action was welcomed by the Mission.



XIV- SECURITY

The Defense and National Security Forces demonstrated discretion and professionalism throughout Election Day. They contributed to the peaceful and orderly conduct of the ballot without any hindrance or interference in the vote of the citizens.

XV- MEDIAS

The national and international media covered the voting process. The Head of Mission of the AUEOM gave interviews to journalists in the opening polling station to share his preliminary observation and praised the maturity of the voters, delegates, and electoral staff, as well as the good general organization of the ballot by the EMBs and the Government, as well as the absence of violence from the competing stakeholders.

XVI- INTERNATIONAL COMMUNITY FACING THE ELECTION

The mission noted the effective presence on the ground on the day of the vote of the Electoral Observation Missions of the international organizations mentioned above.

XVII- CONCLUSION

The African Union Electoral Observation Mission (AUEOM) salutes the democratic political maturity of the Guinean Bissau people, the overall peaceful climate of the legislative elections, and the diligence taken by the national authorities to facilitate the smooth running of its mandate.

The Mission noted that the electoral staff, the members of the EMBs, and the Defense and National Security Forces demonstrated serenity and professionalism throughout the electoral process, including on polling day.

Voting procedures were respected throughout the ballot, from the opening to the closing of the polling stations visited. The minutes of the results were given to the delegates of the competing parties and coalitions present without exception.

All this contributes to the consolidation of democracy, the credibility of the ballot, and, by induction, the Rule of Law at the national level.

The AUEOM welcomes the good collaboration of internal and external stakeholders.

XVIII-RECOMMENDATIONS

The AUEOM makes the following recommendations :

To the Government :

- Pursue its efforts of Dialogue and Consensual Reforms of the Electoral Process to better preserve national security, stability and unity, pledges of "Democratic Peace" consubstantial with any inclusive sustainable development;



- Further strengthen the means of the CNE and open wide consultations to transcend the divisions that crystallize its action and its functioning in view of the next elections;
- Adopt a more ambitious parity law stimulating the participation of women and youth either by the adoption of zebra lists or by that of blocked quotas which allows them to be in an eligible position in a good place in the candidate lists of parties and coalitions contesting for future polls.

To CNE and GTAPE :

- Strengthen the monitoring of polling stations' electoral staff;
- Adopt parity measures in the composition of EMBs and also electoral staff in accordance with the prescriptions of Vision 2030, Agenda 2063 of the African Union and Resolution 1325 of the United Nations Security Council;
- Deal with and resolve the issue of voters holding voter cards but who have not been seen to vote due to omissions on the electoral lists of some polling stations ;
- Strengthen financial and human resources in order to further stimulate their operational capacity for more inclusive elections with the introduction of Braille ballots and the arrangement of access ramps as well as the adoption of a disaggregated National Electoral Register containing accurate data on voters registered and type of disability for better inclusive participatory democracy;
- Make sure to provide the polling stations with means of protection against possible rain and excessive sun because most of them as visited by the Mission, were located outside

To SCC :

- Pursue its vigilant role in raising awareness for peaceful elections, prioritizing constructive programmatic debate between the candidates contesting.

To Civil Society :

- Increase its constructive efforts in terms of electoral citizen awareness in favor of full adoption and effective signing of the Code of Good Conduct by all parties and national coalitions ;
- Further promote inclusive participatory democracy and democratic peace as a paradigm of political modernization.

To Political Parties, Coalitions and Candidates :

- Strengthen parity among their lists of candidates and their delegates within the polling stations ;
- Resolutely subscribe to a constructive, consensual and progressive strategy to transcend current divisions and consolidate the Nation-State, Democracy and the Rule of Law in all circumstances;
- Respect the Sovereign choice of the People, which is expressed through the free expression of universal suffrage through elections as the primary source of democracy, vector of all "rational legal" political power within the Republic;



- Resort to legal channels in the event of any disputes and ensure that the Republican dialogue is preserved by transcending existing divisions through consensus by prioritizing the Higher Interests of the Nation.

To the African Union and the International Community :

- Further strengthen international cooperation with all stakeholders in the electoral process of the Republic of Guinea-Bissau in its national resilience efforts in order to better cope with the repercussions of the COVID-19 crisis and global deregulations with a view to further consolidating the economy of the country and stimulating and perpetuating the democratic achievements and the rule of law without which there is no peace, no democracy, or lasting progress.

Done at Bissau, 6 June 2023

For the Mission,

H.E Joaquim Alberto CHISSANO

Head of Mission

