

# AN ASSESSMENT OF ELECTION ADMINISTRATION IN ZAMBIA, 1991–2011

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## ABSTRACT

*The purpose of this study was to establish whether there had been an improvement in the governance of electoral processes in Zambia, in tandem with democratic principles, between 1991 and 2011. The study used interview material and secondary data on election administration activities gathered from Electoral Commission of Zambia (ECZ) documents on electoral laws and regulations, as well as election monitors and observers' reports. The investigation was centred on five core election administration activities, namely voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management. The article utilised the democratic governance theory and principles embedded in the principles for election management, monitoring and observation (PEMMO) to examine the performance of the ECZ in these five core election administration activities during the period under consideration. Based on the democratic gauge, the study found that the performance of the ECZ in election administration was worse between 1991 and 2006 but significant improvements were attained from 2006 to 2011. Subsequently, in 2016, the Constitution of Zambia was amended and the electoral laws were repealed and replaced.*

**Keywords:** electoral management, voter registration, political party funding, media collaboration, validating election results, electoral conflict prevention

## INTRODUCTION

A wave of democratisation swept across sub-Saharan Africa following the reintroduction of multiparty politics in the 1990s. Between 1991 and 2011, Zambia organised five consecutive general elections and one presidential by-election

in line with the democratic requirements in its constitution. Thus, Zambia was 'heralded as a model for democracy in Africa after a peaceful transfer of power' from one political party to another three times – in 1991, 2011 and 2021 (Human Rights Watch 1996, p. 1). Yet, the electoral process in Zambia was and still is marred by several political, institutional, and technical challenges and human rights violations (Carter Center 1996; Electoral Institute for Sustainable Democracy in Africa, EISA 2008; European Union Election Observer Mission, EU EOM 2012; Human Rights Watch 1996; Kabemba 2006).

Other problems included a cumbersome voter registration process which disfranchised many eligible voters, especially during the period from 1996 to 2006. The abuse of incumbency, public resources and the media remained endemic in the electoral process across all general and by-elections, which adversely affected the level playing field (Munene 2014). Also, the period between 2001 and 2010 witnessed a proliferation of political violence, electoral disputes and petitioning of election results (Cheeseman & Larmer 2013; Cheeseman & Marja 2010; Kapesa, Sichone & Bwalya 2020; Mukunto 2019). Therefore, effective election management is not only necessary for the Electoral Commission of Zambia (ECZ)'s efforts to organise successful free and fair elections, but also of great significance for the sustainability of democracy and peace. Additionally, effective election administration builds stakeholders' confidence in the work of the election management body to ensure that people's votes are not stolen, to increase the acceptance of election results, and legitimise those in power.

The ECZ is an independent commission which organises and administers elections in Zambia and was established a month before the 1996 general elections (O' Donovan 2006). Article 76(1) of the 1996 Amended Republican Constitution, which was in force at the time of this research, established the ECZ as an autonomous election management body (ECZ 2011). Since 1996, the ECZ has undertaken significant electoral and election management reforms.<sup>1</sup> In the period under review, the ECZ administered four national elections, in 1996, 2001, 2006 and 2011; the 2008 presidential by-election; and various local government and parliamentary by-elections (Fokwa 2012). The 1991 election was organised by its predecessor, the Elections Commission (Kaaba & Haang'andu 2020).

Even so, Fokwa (2012), Kaaba & Haang'andu (2020), O'Donovan (2006) and Rakner & Svasand (2003) have observed that election management in Zambia is administered with more weaknesses than strengths. These weaknesses are

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1 The paper was researched in 2013, when the old constitution, enacted in 1996, was in operation. The constitutional framework on elections changed drastically in 2016 when the new constitution was adopted. As a result, several electoral laws and regulations were repealed and replaced. Although the paper has been overtaken by these reforms, the lessons it brings out are still relevant to the administration of elections in Zambia. For further details, see: Government of the Republic of Zambia (GRZ) 2016, *Constitution of Zambia (Amendment) Act No. 2 of 2016*, Government Printer, Lusaka.

perpetuated by stagnation in electoral reform and fragmentation in the roles, power, interest and influence of key stakeholders such as the incumbent president, commissioners of the ECZ, and members of political parties (Fokwa 2012; Rakner & Svasand 2003). The weaknesses in election administration undermine the promotion of core electoral values of independence, professionalism, impartiality, transparency and accountability in the electoral process (Munene 2014). But there is need to protect and enhance electoral values to help the ECZ uphold high standards of electoral democracy, electoral liberalism and good governance in election administration (Wall, Ayoub, Dundas, Rukambe & Staino 2006). The purpose of this article is to evaluate the extent to which there was an improvement in core election administration activities in Zambia between 1991 and 2011.

The investigation is centred on five core election administration activities, notably voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management. The paper aims to answer one major question as it examines the performance of the ECZ in election management: How did the ECZ perform in these five core election administrative activities between 1991 and 2011? To answer this question, the article is guided by the research design and methodological approach described below.

## RESEARCH DESIGN AND METHODOLOGY

This study is designed as a case study of election administration in Zambia in the period from 1991 to 2011. The year 1991 is a natural starting point for this study as it coincides with the reintroduction of multi-party politics in this country. Zambia held her fifth presidential election in 2011, which is also the end of the period covered by this study. The study adopted a qualitative research design whereby the researcher poses a number of how and why questions to participants regarding the issue under investigation and summarises their responses. The researcher also draws inferences regarding the topic from the responses of the sample (Creswell 2009). Kombo and Tromp (2006) emphasised the essence of using a qualitative research design as generating important information to provide solutions to the problem at hand. In this view, this paper identified and discussed some contentious aspects of election administration in Zambia before making recommendations for solutions to some of the institutional problems.

The paper utilised interview material and secondary data on election administration activities gathered from ECZ documents on electoral laws, regulations, and election observers' reports, as well as journal articles and books. The study was guided by the democratic governance theory (DGT), which promotes democratic electoral management. Data was examined qualitatively

using relational content analysis. In line with this, the results were compared with values embedded in the principles for election management, monitoring and observation (PEMMO) to determine conformity with democratic standards. '[I]n contrast to reliance on generalised terms such as free and fair', PEMMO standards 'offer practical guidelines on establishing progress in [electoral management]' (Fokwa 2012, p. iii).

The research utilised semi-structured interviews. Interviews were conducted between 23 August and 2 October 2013 in Lusaka, where the institutional headquarters of the main stakeholders in the governance of the electoral process are based. Semi-structured interviews were used to investigate stakeholders' perceptions of the performance of the ECZ in the above-mentioned election administration activities. The population was categorised into five broad stakeholder groups, which included:

- a government institution, the ECZ, sanctioned to govern the electoral process;
- election observation institutions;
- civil society organisations involved in promoting democracy and good governance;
- active and popular political parties at that time; and
- church mother bodies (Council of Churches in Zambia (CCZ), the Evangelical Fellowship of Zambia (EFZ) and the Zambia Episcopal Conference (ZEC) now known as Zambia Conference of Catholic Bishops (ZCCB)) also involved in promoting democracy and good governance.

Each of these institutions was subjected to an interview to collect primary data on the performance of the ECZ in the five core election administration activities. The study used a simple qualitative technique of manually transcribing the interviews before interpreting and discussing their contents (Creswell 2009). To complement the empirical data, a review of the existing literature on election administration theories was conducted, as elaborated below.

#### THEORETICAL FRAMEWORK: DEMOCRATIC GOVERNANCE THEORY

Studies have applied various election administration theories at continental and in some instances national level in Africa, Europe, Asia and the United States of America. These include democratic governance theory (Cheema 2005; Gutto 2003), principal-agent theory (Alvarez & Hall 2006; Kimball & Kropt 2006), fiscal

federalist theory (Guess 2007), and public administration and policy theory (Ansell, Sorensen & Torfing 2021; Guess & Gueorguieva 2009; Montjoy 2008). Each of these seeks to provide solutions for improving election management (Fokwa 2012; International IDEA 2014; Torres & Diaz 2015). However, very few comprehensive academic and scholarly researches applied electoral theories on election administration to Zambia (see, for example, Cheeseman 2005; Eiseman 2006; Kaaba & Haang'andu 2020; Kabemba & Eiseman 2006; O'Donovan 2006; Rakner & Svasand 2003). Therefore, this study applied democratic governance theory (DGT) on election administration embedded in PEMMO standards. This theory is suited for this study for reasons given below.

First, as noted by Mikesell (2007) and Torres & Diaz (2015), DGT suits an independent model electoral management body (EMB) such as the ECZ instituted to effectively promote electoral principles of independence, professionalism, impartiality, transparency, accountability, responsiveness, respect, and integrity.

Second, the aforementioned electoral theories have undertones of democratic values but the DGT encompasses not only all the principles but also all the electoral theories. Third, the purpose of the DGT is to measure the Zambian electoral process against democratic standards in order to evaluate its performance. Fourth, DGT can contribute to strengthening the electoral management framework of Zambia in line with the principles of democracy, constitutionalism and good governance (Gutto 2003; Wall et al. 2006). DGT is thus appropriate both for providing comprehensive answers to the question highlighted above, and achieving the purpose of this study through the methodological approach described in the previous section.

The DGT comprises the basic elements of democracy and good governance (Ansell et al. 2021; Democratic Governance and Accountability Programme, DGAP, 2011). There are two main democratic principles that must be adhered to in order to attain good electoral management. These are electoral liberalism and good governance (Ansell et al. 2021). Electoral liberalism refers to paving the way for electoral contestation through political pluralism, competitive elections and mass participation. Electoral pluralism and contestation entail people having the freedom to form parties with associational autonomy and freedom to utilise the press or media for campaign (Christian 1997; International IDEA 2014).

Good governance refers to the process of making and implementing good decisions based on democratic principles. Good governance promotes genuine democracy, development, security and peace. It leads to greater respect for human rights, the rule of law, transparent and accountable processes, and also encourages people's participation in developmental agendas (Carrington et al. 2008; International IDEA 2014). Like good governance, democratic electoral management reflects the capacity of the EMB to make and implement functions

essential for collective well-being. This entails the EMB having sovereignty through monopoly control over its administrative activities according to established democratic electoral laws and regulations (International IDEA 2014). The theoretical underpinnings of democratic principles on the five core election administration activities under investigation in this article are elaborated below.

Voter registration is one of the most important processes of electoral management as it 'is a crucial factor to the legitimacy of the democratic elections, as numbers matter so much to portray the wishes of the people in issues of governance' (Evangelical Fellowship of Zambia 2012, p. 3). In addition, the 'purpose of voter registration is to identify those persons who are eligible to cast a ballot on election day, [and] the EMB is responsible for compiling a national voters' roll and undertaking voter registration' (ECF & EISA 2004, p. 15). With reference to many SADC countries, ECF and EISA (2004, p. 15) noted that the 'transparency and legitimacy of the voter registration process' had 'been disputed, resulting in a lack of acceptance of the election results'. Most conflicts and challenges linked to the voter registration procedure ranged from a legislative prescription for voting, to the accuracy of the voters' register. It is against this background that the PEMMO standards stipulated in Part 1 of the Appendix have been recommended to determine progress in voter registration process in individual nations in the SADC region.

According to ECF and EISA (2004, p. 21), the recommended principles governing campaign finance were based on three major reasons:

[The first reason being the fact that] not all political parties and candidates have access to public resources.... (p. 19). [Second], governing parties in [the] SADC have an unfair advantage [of] using the public resources to which they have exclusive access for campaign purposes or to further their political ends (p. 19). [Though] [t]he majority of SADC member states provide public funding to political parties for election purposes ... in some countries, public funding is not provided (p. 21). [Third], political parties do not always disclose the sources of foreign funding .... In some cases this has led to suspicion and tensions, particularly between ruling and opposition parties.

In view of the aforementioned problems relating to monitoring the financing of political parties and use of state resources, the ECF and EISA recommended the PEMMO standards stated in Part 2 of the Appendix.

Another election administration activity relates to media coverage and access during political party campaigns. Much research on the role of the media



in democratic elections demonstrates that both the public and private 'media are not sufficiently accountable to the populace often resorting to sensational and biased reporting' (ECF & EISA 2004, p. 18). The public media mainly supports the ruling party while the private media supports the opposition. In the SADC region, it is hoped that the recommendations in Part 3 of the Appendix would provide a remedy to the problem.

Validating election results involves the counting and announcement of election results. According to the ECF and EISA (2004), in most SADC nations slow tabulation of results, poor coordination and infrastructure lead to delays in announcing results. Consequently, the suspicion of election rigging by the incumbent political party increases, while the degree of acceptance of the results by those in the opposition reduces, which undermines the integrity of the electoral process. Therefore, to enhance the credibility and transparency of the counting process and announcement of election results, the PEMMO standards in Part 4 of the Appendix have been adopted in the SADC region.

With reference to conflict management and prevention, the ECF and EISA (2004, p. 12) noted that electoral-related conflict is a major threat to democracy and political stability in the SADC region. But even so, there are several alternative methods of dispute resolution 'and conflict management processes such as mediation, arbitration and conciliation, [which] are more accessible, cost effective and rapid means' of resolving electoral conflicts. Therefore, the PEMMO Standards on conflict management in Part 5 of the Appendix have been advanced.

Democratic principles embedded in this theoretical framework have been compared against the findings presented below in order to determine the extent to which the ECZ improved its management of the voter registration process, monitoring political party finance, regulating media coverage of elections, counting and announcing results, and resolving electoral conflicts in tandem with the democratic management of the electoral process.

## PRESENTATION AND DISCUSSION OF FINDINGS

This section presents and discusses the findings of the study. As indicated in the abstract and described in detail in the methodology and theoretical framework above, the purpose of the study was to measure the extent to which the ECZ improved its fundamental election management activities between 1991 and 2011. The research findings are based on the core election administration activities of voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management.

## VOTER REGISTRATION

In terms of voting rights, electoral rules and regulations established that ‘a person must be a Zambian citizen, at least 18 years old and in possession of both a national registration card and a voter card, and have their details included in the voter register’ (EU EOM 2012, p. 10). Before the law was changed in 2016, disqualified persons included ‘those of unsound mind, detained under the Criminal Procedure Code or any other law in force in Zambia, under a sentence of death or imprisonment, persons convicted of corrupt or illegal practices under the Electoral Act’, and persons ‘found guilty of such practices on an electoral petition within five years’ (EU EOM 2012, p. 10).

Between 1996 and 2006, the law provided for 21 days of voter registration (GRZ 2006). However, the Zambia Episcopal Conference (ZEC) (Interview, 28 August 2013) noted that ‘[twenty-one days were] not enough for new eligible voters to register and confirm their details on the register’. Therefore, to capture as many eligible voters as possible, the process had in most instances been extended. For instance, prior to the 2001 election, the registration process was extended twice from 25 June to 26 July, 2001 (Carter Center 2002). In preparation for the 2006 national election, the new voter registration exercise began in August 2005 and was concluded on 1 August 2006 (EU EOM 2007). Meanwhile, the mobile voter registration update for the 2011 tripartite election ‘was conducted in three phases from June 2010 until March 2011’ (EO EOM 2012, p. 11).

Between 1991 and 2006, ‘the quest for broad participation of eligible voters remained a challenge with several human rights violations’ (Forum for Democracy and Development (FDD) Interview, 22 September 2013). For example, cumbersome registration procedures disenfranchised many eligible voters in this period. Despite 75% (3.2 million) of the total voting age population registered for the 1991 elections, more than 4 million of the population assumed to be approaching the age of 18 prior to the election were not captured (National Democratic Institute for International Affairs & Carter Center of Emory University 1992). Meanwhile, most stakeholders regarded voter registration for the 1996 election as fraudulent (Carter Center 1996). Various reasons were advanced relating to court challenges; the semi-secret operations of the Nikuv Computer of Israel, a foreign company which was contracted to assist in the voter registration process; fading voter cards; and, more seriously, the registration of under-age voters (Carter Center 1996). It was also not clear who was in charge of determining the eligibility of voters, Nikuv or the ECZ (Carter Centre 1996).

After 2006, voter registration process in Zambia improved significantly. Behind the significant improvement was the fact that the ECZ introduced continuous voter registration and collaborated with the Ministry of Home



Affairs in issuing national registration cards faster through mobile issuance, the introduction of a faster automatic biometric registration kit that replaced the slow manual system, and a sufficient registration timeframe from June 2010 to March 2011 (EU EOM 2012). According to the SADC-PF (2012), such measures increased the total number of registered citizens from 3.9 million or 71% of the voters captured in 2006 to 5.2 million in 2011. This represented 86% of the eligible voters, putting Zambia over the regional average of 77%, with a large number of first-time voters totalling approximately 1.3 million. Suffice to say, the ECZ had progressed in registering eligible voters and aimed to register as many as possible.

Despite the continuous update of the voter register, clerical mistakes and technical challenges remained a huge problem for the ECZ. For instance, 'anomalies and clerical mistakes [resulted] in the appearance of the names of deceased persons and disenfranchisement of some registered voters' (United National Independence Party (UNIP) Interview, 8 September 2013). In the voter register for the elections of 2011, there were 'approximately 250 000 deceased persons on the register [who were] carried over from the 2005 database' (EU EOM 2012, p. 11). The 'new register [had been built upon] from the 2005 database with clerical mistakes in data recording and entries such as name spellings' resulting in the details of approximately 9 000 voters 'missing from the provisional voter register' unable to vote (EU EOM 2012, p. 11).

Another important aspect of voter registration relates to the cost effectiveness of the process. Despite huge funding of the ECZ from the state budget and donations made by the international community and other grants pursuant to section 13(1) of the Electoral Commission Act (ECZ 2011), the voter registration process was not cost effective, especially in the period from 1991 to 2006 (EU EOM 2006; SADC-PF 2012). For instance, the Zambian government contributed K152 million (K152 000 rebased currency: K1= USD0,062) in 2005 and K279 million (K279 000 rebased) in 2006 towards the voter registration process. The international community provided technical and financial support totalling about K35 billion (K35 million rebased) to the ECZ (EU EOM 2006). Although the law allows for continuous voter registration, the Southern African Centre for Constructive Resolution of Disputes (SACCORD) (Interview, 10 September 2013), noted that 'the process was done anew prior to each national election due to inadequate funding'. Political-party agents were allowed by law to monitor the voter registration process and inspect the voters' roll. But in most elections, access to voters' rolls was hindered by exorbitant prices for the lists. This was exemplified by the Foundation for Democratic Process (FODEP) in an interview held on 28 August 2013 with its executive director. In 1991 access to the final voter list cost as little as K500 (K0.5 rebased) but in 1996 it shot up to K11 000 (K11 rebased) (Carter Center 1996). Some improvement was attained during the 2008

presidential by-election, to the extent that the ECZ provided each presidential candidate with a free set of voters' registers while additional registers could be purchased for a fee of K25 (K0.025 rebased) (EISA 2010). However, in 2011 a copy of the voters' roll cost K2 500 (K2.5 rebased) (SADC-PF 2012).

In line with the stated PEMMO standards, the voter registration process in Zambia during the twenty-year period under investigation was a mixture of success and failure. The Electoral Commission had been successful in promoting voting rights in terms of voter registration, except in 1996 when it was alleged that the Nikuv Company registered under-age voters (Carter Center 1996). As stated above, lack of a continuous update of the voters' register between 1991 and 2006 made it extremely expensive to conduct a new process. Although political-party agents were allowed by law to monitor the voter registration process and inspect the voters' roll, in most elections access to voters' rolls or lists was hindered by the exorbitant prices for the lists and the secretive operations of the ECZ during the registration process. As observed by Kaaba and Haang'andu (2020, p. 184), the secretiveness of the process coupled with 'serious discrepancies in the register caused anxiety, mistrust and doubts about the integrity of the Election Commission and its neutrality'.

#### MONITORING POLITICAL PARTY FINANCE AND USE OF STATE RESOURCES

There was no provision allowing the ECZ to regulate campaign finance (Rakner & Svasand 2003; ECZ 2011; ECZ Interview, 9 September 2013). Specifically, the Zambian Constitution did not and still does not have provisions for regulating sources of campaign finance, which affect subsidiary laws (Electoral Act of 1996; Electoral Code of Conduct of 2011; GRZ 1996 & 2016). However, the 'only specific ban on the use of public property or revenues for campaigning' was 'in the Code of Conduct, which made it an offence to use governmental or parastatal transport or facilities for campaign purposes' (EU EOB 2012, p. 14; similar remarks were made by the EFZ (Interview, 5 September 2013). Further, the Finance Control and Management Act of 2012 and 2016 prohibits spending public funds on purposes or projects not sanctioned by law (Kaunda 2011; EU EOM 2012; ECZ 2011 & 2016). But these prohibitions did 'not apply to the president and vice-president' (EU EOM 2012, p. 14).

According to the EU EOM (2012, p. 14), 'In the past, government officials who diverted funds to political campaigns were convicted of abuse of office, but that offence was repealed by the Anti-Corruption Act 2010'. Before the 'abuse of authority of office' was reinstated in the Anti-Corruption Act No. 3 of 2012

(GRZ 2012, p. 24), lack of appropriate provisions and mechanisms ‘to ensure that rules in place such as those in the Code of Conduct were enforced, there was no transparency [and accountability]’ in sources and utilisation of funds, and the abuse of state resources for campaigns (EU EOM 2012, p. 14); similar sentiments to the concerns raised by the EU EOM were reiterated by SACCORD (Interview, 10 September 2013) and FODEP Interview, 28 August 2013).

There was also ‘no regulated use of public resources for political campaigns to promote a level playing field’ (UPND Interview, 29 August 2013). Public funding was not extended to all political parties and independent candidates. There was no restriction on the use of public resources by the ruling party for political party campaigns and activities. As a result, in the period from 1996 to 2011, ‘the members of the ruling party, the Movement for Multiparty Democracy (MMD), widely exploited the advantages of incumbency’ (Young African Leaders Initiative (YALI) Interview, 23 August 2013). For example:

[Prior to the 2011 elections, the then Republican President, Rupiah Banda], frequently attended ceremonial openings or inaugurations of large-scale public works, roads or hospitals that were widely reported in the mass media and blurred the boundaries between official functions of the presidential office and campaigning. The use of state resources for campaign purposes was at times overt, particularly in the use of public television, radio and newspapers. Use of government vehicles by the MMD to deliver campaign material was widely reported from the field. .... [Meanwhile], civil servants including provincial permanent secretaries and district commissioners were at times active in the election campaign for the MMD. [In addition], the publicly-funded relief maize programme was also frequently observed being used by the MMD in support of its campaign.

(EU EOM 2012, p. 14)

‘The rules and regulations governing monitoring of sources of funding for political parties and use of state resources for political campaigns by the ruling party were [and still] are very weak’ (YALI Interview, 23 August 2013). In the period under consideration, the ‘lack of clearly defined parameters between private and public resources further dissolved boundaries between legitimate use of state resources used in an official capacity and use of them to campaign’ (EU EOM 2012, p. 14). Such activities reduced the level of impartiality in the electoral process and disadvantaged opposition political parties.

## COLLABORATING WITH THE MEDIA

The important legal framework for media coverage of the elections was outlined in the Electoral Code of Conduct of 2011 in regulations 13, 14 and 15, which established rules for media coverage of the campaigns (GRZ 2011; EU EOM 2012).<sup>2</sup> Regulation 13 (1) obliged 'all print and electronic media to provide fair and balanced reporting of the campaigns, policies, meetings, rallies and press conferences of all registered political parties and candidates during the campaign period' (GRZ 2011, pp. 10–11; EU EOM 2012, p. 15). Media organisations were also required 'to report election news in an accurate manner [and make a clear distinction between news and opinion]' (GRZ 2011, p. 11; EU EOM 2012, p. 15). All these regulations were in line with PEMMO Standards as in Part 3 of the Appendix.

Regulation 14(1) stipulated that the public radio and television channels of the Zambia National Broadcasting Corporation (ZNBC) should 'allocate public airtime equally to all political parties and candidates for their political broadcasts' (GRZ 2011, p. 12). Also, there was a provision 'for parties to purchase no more than a maximum of 30 minutes airtime in any one language per week on one of the public radio or television outlets' (EU EOM 2012, p. 15). ZNBC was and still 'is under an additional obligation from section 7 of the ZNBC Act to broadcast news and current affairs programmes, which' should 'be comprehensive, unbiased and independent. Commentary should also be clearly distinguished from news' (EU EOM 2012, p. 15).

The Electoral Commission of Zambia has no control over either public or private media (EU EOM 2012). According to regulations 13 and 14 of the Statutory Instrument No. 52 of 2011, the role of the ECZ is to create a space whereby there is fair and balanced reporting of electoral issues by both public and private media organisations (GRZ 2011; ECZ 2011). With this at core, the ECZ does not necessarily collaborate with the media but has 'the powers to revoke the accreditation of the media in the interest of public safety or security where the Code of Conduct is contravened' (ECZ Interview, 9 September 2013).

Although media coverage of the elections is backed by a code of conduct meant to enhance fair reporting (GRZ 2011), there was no independent media authority to monitor and regulate the media on a continuous basis between 1991 and 2011. As a result, media bias and polarisation characterised the coverage of election campaigns by the media in Zambia in the period under study, as the same pattern was observed by the Carter Center in the 1991, 1996 and 2001 elections

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2 The Electoral Code of Conduct Regulations of 2011 is now a schedule within the Electoral Process Act of 2016. For further details, see: GRZ 2016, *Electoral Process Act No. 35 of 2016*, Government Printer, Lusaka.

(Carter Center 1992, 1996 & 2002); EU EOM in the 2006 elections (EU EOM (2006); EISA in the 2008 presidential by-election (EISA 2010); and SADC PF and the EU EOM during the 2011 elections (SADC-PF 2012; EU EOM 2012).

In light of the above, the National Restoration Party ((NAREP) (Interview, 5 September 2013), Council of Churches in Zambia ((CCZ) Interview, 2 October 2013), and EU EOM (Interview, 9 September 2013) observed that during the 2011 election campaign the media was highly polarised in its coverage of political parties and their campaigns. This 'led to very selective coverage of campaigns in some of the mass media', and 'at times, irresponsible and partial media reporting of events openly sought to mislead viewers, listeners and readers and this contributed to increasing suspicions of the electoral process' (EU EOM 2012, p. 16; EU EOM, Interview, 9 September 2013). There was distortion of information across state and privately-owned media.

Through candidate debates, programmes sponsored by non-state actors, contestants were granted access to both state and several private broadcasters. However, 'key programming such as news bulletins of the state-owned radio and television channels of the ZNBC was dominated by the MMD at the expense of the main opposition parties' (EU EOM 2012, p. 16). Consequently, 'overall coverage of political actors on ZNBC TV and Radio 2, which carried the debates, meant MMD received a total of 37% share of coverage compared to the major opposition party PF', which received a maximum of '8% share of coverage on the two channels' (EU EOM 2012, p. 16). The UPND received 21% share of coverage; Alliance for Democracy and Development (ADD) was allocated 7%; and NAREP was assigned 6% (EU EOM 2012, p. 16). The other political parties that attended the debates received a share of 5% each. It can be seen that ZNBC TV and Radio 2 failed to meet their minimal requirements as public broadcasters.

In contrast to the public broadcasters which, as indicated above, allocated more airtime to candidates of the ruling MMD, the private media granted more airtime to the opposition PF. MUVI TV, for example, allocated 34% of its airtime to PF, 20% to MMD, 16% to UPND, and 9% to NAREP (EU EOM 2012). By comparison, Radio Phoenix afforded PF 29%, 26% share to both MMD and UPND, NAREP received 10%, and the remaining coverage was shared between smaller parties (EU EOM 2012). Radio QFM afforded PF 36%, MMD 33% and UPND 9%. Radio Christian Voice allocated PF 35%, MMD 18% and UPND 17% (EU EOM 2012). Only Radio Hot FM allocated more airtime to the MMD. In this regard, Hot FM's coverage of political actors was as follows: MMD 24%, PF 18%, UPND 16%, ADD 10%, NAREP 8%, FDD 7%, Heritage Party (HP) and Zambians for Empowerment and Development (ZED) received a total of 6%, National Movement for Progress (NMP) 5%, and less than 1% for the other parties (EU EOM 2012, p. 17).

The findings of this research are that in Zambia, 'there was no independent media authority to monitor and regulate the media on a continuous basis' (United Nations Development Programme (UNDP) Interview, 1 October 2013) from 1991 to 2011. This is despite media coverage of the elections being subject to a regulatory framework designed to promote fair reporting (ECA 2011 & 2012: EU EOM 2012). Since the ECZ has no control over either public or private media, this could trigger confusion in announcement of election results (MMD Interview, 27 September 2013). Besides selective campaign coverage, 'the right of voters to have access to a broad range of impartial news was not always respected', and was, thus, misleading (EU EOM 2012, p. 16).

Indeed, with reference to media access and coverage during election campaigns, the public and private media in Zambia was and is still characterised by acute polarisation and bias. However, the polarisation of the media into public and private radio and television broadcasters and newspapers is relatively benign compared to its bias. In line with the EU EOM (2012, p. 15), the advantage of polarisation of the media in the period from 1991 to 2011 was the 'emergence of new commercial radio and television broadcasters together with newspapers'. This brought 'competition to the state-owned media and a relatively plural media sector in general', and opened 'up space for critical discussion and debate' during election campaigns (EU EOM 2012, p. 15). The problem relating to the bias in the media was that the private media mainly contained news relating to campaigns by the opposition parties, while news in the public media was dominated by the then ruling party, the MMD.

### VALIDATING ELECTION RESULTS

The ECZ retains the responsibility of managing the counting process through its trained election officials (ECZ 2011 & 2016). The counting procedure was clear and took place in the presence of stakeholders such as election monitors, and representatives of political parties and civil society organisations (UPND Interview, 29 August 2013; MMD Interview, 27 September 2013; UNDP Interview, 1 October 2013; EU EOM Interview, 9 September 2013). In the 2011 election, there were nine collation centres established in the provincial headquarters of Lusaka, Kabwe, Livingstone, Mansa, Kasama, Chipata, Ndola, Solwezi and Mongu, where results from the 72 districts were posted after counting for final publication.

According to electoral procedures, 'counting of ballots [should] commence at all polling stations in clear sight of party agents and election monitors and international observers immediately following closing of the poll' while 'aggregation of results [should be] undertaken immediately following counting and the arrival of polling data at constituency level aggregation centres' (EU



EOM 2012, p. 21; see also O'Donovan 2006; ECZ 2011 & 2016). Before 2016, when the law was amended, announcement of results commenced immediately after aggregation, and the process was supposed to be finalised within 48 hours following closing of the poll (ECZ 2011; GRZ 2012). These criteria satisfied the PEMMO standards outlined in Part 4 of the Appendix.

Despite the regulatory requirements listed above, delays in the counting, aggregation and announcement of results remained a challenge for the ECZ between 1991 and 2011 (FODEP Interview, 28 August 2013; EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013). Such delays were due to the fact that polling stations were opened and closed late. Another major reason was the 'difficulty of infrastructure for the transportation of results from polling stations to the aggregation centres and overly complex paperwork for counting and forms that often led to staff confusion and misunderstanding of procedures' (EU EOM 2012, p. 21). The process was further complicated by increasing suspicion and fear of election rigging by the ruling party (EFZ 2012).

During the 2011 general election, the chairperson of the ECZ announced the validated results of the presidential election at approximately 00:30 hours on 23 September 2011, slightly over the 50 hours provided for in the Electoral Act (EFZ 2012; EU EOM 2012). With this scenario, the counting of election results was quite different from the announcement of results. Therefore, the timing of the results announcement depended on the period it took to verify the results coming out of the nine collation centres. Although the announcement of presidential results in 2011 took slightly over 50 hours from the close of the last polling station, this was a progressive step as other African countries took a week to do so (EU EOM 2012). 'All political parties accepted results of the presidential election and there was a general acceptance across society that the elections were credible and transparent', and the new president assumed office after a swearing-in ceremony held on 23 September 2011 (EU EOM 2012, p. 22).

## ELECTORAL CONFLICT MANAGEMENT AND PREVENTION

In line with the Electoral Act, 75 conflict management committees (CMCs) were established in August 2001 (ECZ 2011), one in each district and one at national level. These CMCs comprised members of law enforcement agencies, civil society organisations, the clergy, and political parties (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013; UNDP Interview, 1 October 2013). The SADC Parliamentary Forum, an election observation mission, issued a press statement congratulating the ECZ and stakeholders for establishing CMCs. The SADC Parliamentary Forum released this statement: 'We believe such stakeholder committees are an essential ingredient for a peaceful and participatory electoral

process. Hope they will go a long way in the confidence and consensus building effort' (Ntlohi 2001, p. 18). In addition, there was provision in the Electoral Act of 2011 for the resolution of electoral disputes by mediation through CMCs and by petition through the High and Supreme Courts (EU EOM 2012; ECZ 2011).<sup>3</sup>

Years after the formation of CMCs stakeholders, including political parties, civil society organisations and church mother bodies have expressed dissatisfaction over their operations due to an increase in electoral violence. In the period under study, there were several issues related to electoral conflict prevention and management, which included electoral offences, electoral complaints, electoral appeals and election results petitions.

Between 2001 and 2008, CMCs played an important role in resolving disputes relating to threats of violence during by-elections across the country (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September, 2013; UNDP Interview, 1 October 2013). Some disputes such as aggravated violence, which went to CMCs, were later converted into criminal prosecutions. However, from 2010 to 2011, unresolved electoral conflict led to violence during by-elections in Mufumbwe, Rufunsa, Chongwe, Lusaka and Livingstone, mainly amongst the MMD, PF and UPND cadres (Kaunda 2011). The country witnessed one of the worst episodes of electoral violence as MMD and UPND cadres fought in bloody battles during the April 2010 parliamentary by-election in Mufumbwe. The violence witnessed during this by-election had far-reaching consequences – it left nine people injured and hospitalised, two dead, and spilled over to other by-elections held in this constituency (*Lusaka Times* 15 April 2010; Munene 2014).

After the 2011 election, the police reported a total of 102 arrests, mostly in the Lusaka and Copperbelt provinces (Kaunda 2011). Most of these offences were misdemeanours related to electoral violence under the Penal Code Act of 1999. Daka (2012), noted that 11 years after the formation of CMCs electoral violence still characterised the electoral process in Zambia. In his report, he referred to the alleged PF engineered violence that characterised the Mufumbwe parliamentary by-election on 8 November 2012. Furthermore, the violence in Mufumbwe led to the ban of 18 alleged pro-PF polling agents whom the District Conflict Management Committee (DCMC) suspected would bring about electoral violence during the elections. Katongo (2012) observed that the 18 individuals who petitioned the DCMC in Mufumbwe claimed their exclusion from participating was unjustified.

Petitions relating to presidential election results could be submitted to the Supreme Court, and now to the Constitutional Court, 'within 14 days of the swearing-in of the declared winner' (EU EOM 2012, p. 20). The problem was

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3 It is worth noting that since 2016 when the Constitution of Zambia was amended, the law has changed. As a result, the interpretation of laws regarding electoral disputes and election petitions is handled by the Constitutional Court.

that there was no timeframe within which these cases had to be decided by the Supreme Court, and as a result some cases in the past had taken years to reach judgement. Parliamentary election results petitions would 'be submitted to the High Court within 30 days of the particular declaration, or if there [was] an allegation of corruption ... and the court had 180 days to [pass judgement on such petitions]' (EU EOM 2012, p. 20). A petitioner in the High Court would pay a maximum of K144 000 old currency to court as security for costs (ECZ 2011).

The legal procedures governing election petitions in Zambia were in line with international and PEMMO standards (see Part 5 of the Appendix). However, the majority of electoral petitions and political cases dealt with by the courts were widely perceived by stakeholders to favour the political party in government (EU EOM 2012). Verdicts on electoral cases were often deferred or delayed, and were at times dismissed on narrow procedural grounds (FODEP Interview, 28 August 2013; SACCORD Interview, 10 September 2013).

The history of presidential election result petitions in Zambia dates back to 2001 and exposes serious limitations in the electoral process. The FDD, HP and UPND petitioned the 2001 presidential election result, alleging election rigging in favour of MMD's Levy Mwanawasa (Kabemba 2006). This raised public concern on the credibility of ECZ and the courts to manage the electoral process in a more impartial, independent, autonomous and transparent manner without political interference (Kabemba 2006).

Following the 2011 election, 'a total of 68 petitions challenging results of the National Assembly elections were filed at the High Court of Zambia during the 30-day period permitted' (EU EOM 2012, p. 20). Out of 68 petitions, 50 were filed by losing PF parliamentary candidates, 11 by UPND contestants, five by MMD contenders, and two by independents (EU EOM 2012). Most of the allegations appearing in the petitions were of 'vote-buying by distribution of personal gifts or communal donations, undue influence that [included] claims of pressure by local chiefs, and the abuse of state resources through the use of state vehicles and civil servants in campaigning' (EU EOM 2012, p. 20). Surprisingly, 'the ECZ [was] added as a party in the majority of petitions' (EU EOM 2012, p. 20).

The ECZ had and still has mechanisms for dealing with electoral disputes through the National Conflict Management Committee and DCMCs, which are required to settle disputes within 24 hours of receiving a formal complaint (ECZ 2011). However, it is worth noting that CMCs are not established at ward level where electoral conflict originated and this undermines their effectiveness (EU EOM Interview, 9 September 2013; SACCORD Interview, 10 September 2013; UNDP Interview, 1 October 2013). Moreover, agreements reached by mediation are not enforceable by law (FODEP Interview, 28 August 2013). In 2011, more

than 100 cases were resolved by the DCMCs (EU EOM 2012) whereas in the 2008 presidential by-election 76 disputes were resolved (EISA 2010).

Nevertheless, other factors need to be considered in measuring the CMCs' capacity to resolve electoral disputes. These include the type of disputes submitted for mediation and levels of professionalism of the staff on the conflict management panels, as numbers alone cannot determine the level of success in electoral conflict management and prevention. In fact, the levels of professionalism of the staff on the CMCs 'was questionable as most of them lacked adequate training in conflict management' (SACCORD Interview, 10 September 2013). They were and still are drawn from 'different professional backgrounds such as teaching, banking, law, clergy, and political organisations', with very little knowledge of conflict resolution (SACCORD Interview, 10 September 2013; FODEP Interview, 28 August 2013).

## CONCLUSION

Using the democratic gauge (PEMMO standards), this study has shown the following: first, the performance of the ECZ in relation to election administration was worse between 1991 and 2006 but improved slightly between 2006 and 2011. In the areas of voter registration, monitoring funding of political parties, collaborating with the media, validating election results, and electoral conflict prevention and management, the performance of the ECZ was mixed – a combination of success and failure (average).

These findings point to the stagnated democratisation process in Zambia for the period from 1991 to 2011. Rakner and Svasand (2003) relate this problem to partial-reform-equilibrium, which Zambia suffered from during this period. Specifically, political leaders were unwilling to loosen their hold on power by not promoting meaningful constitutional and electoral reforms, which could have passed a test of time.

Second, despite introducing a continuous voter registration process after 2006, the ECZ's operations were hampered by inadequate funding and the lack of advanced technology, resulting in too many anomalies and errors in its voters' roll. Moreover, access to the voters' roll during this period was extremely low, partly because of the high price attached to it, beyond the reach of many stakeholders.

Third, the study has shown that there was no constitutional or electoral provision that mandated the ECZ to monitor funding sources for political parties. This problem enabled the ruling party to abuse public resources, which in turn disadvantaged opposition political parties. The ECZ missed an opportunity to adopt PEMMO Standards for monitoring sources of funds for political parties and to stop the ruling party from abusing state resources so as to promote a level playing field during election campaigns.

Fourth, the ECZ took longer, on average, to complete the validation and announcement of presidential election results in the period under study despite some improvement in the 2011 election. The stipulated period was two days from closure of the poll to announce the election results. This delay often led to tensions and clashes between rival party supporters and their candidates.

Fifth, the evidence above also revealed that during the campaign period, the ECZ failed to accord the political actors fair access to the press. This was despite the emphasis on fair and balanced coverage of the campaigns, meetings, rallies, policies, and press conferences of all registered political parties and candidates. At most, the media remained polarised. The public media often supported the ruling party, while the private media supported the opposition parties. Even the Independent Broadcasting Authority (IBA), an independent media authority responsible for regulating the media in Zambia since 2013, has failed to promote an impartial broadcasting industry.<sup>4</sup>

Finally, and in line with the law, the ECZ established CMCs in all the districts across the country. But, even with this, the ECZ has no legal mandate to enforce punishment on the offenders, which rendered it passive when resolving serious electoral conflicts. In electoral petitions, the courts ruled mainly in favour of the political party in government (EU EOM 2012).

In the run-up to the 2016 elections Zambia made several electoral reforms, some of which were direct responses to the problems highlighted above. Notable among them was the establishment of a Constitutional Court to deal with electoral conflicts. Whether the Constitutional Court has performed as expected, however, is yet to be seen. But what is clear is that Zambia has made several strides in terms of election administration since 2006, though more still needs to be done.

#### ----- REFERENCES -----

- Alvarez, RM & Hall, T 2006, *Controlling Democracy: Rethinking Election Administration*. Manuscript, Caltech/MIT Voting Technology Project, Brookings Institution Press, Washington DC.
- Ansell, C, Sorensen, E & Torfing, J 2021, 'When Governance Theory Meets Democratic Theory: The Potential Contribution of Co-creation to Democratic Governance', *Perspectives on Public Management and Governance*, vol. 4, no. 4, pp. 346–362.
- Carrington, W, De Buse, J & Lee, HH 2008, *The Theory of Governance and Accountability*, University of Iowa Press, Iowa.

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<sup>4</sup> Despite the IBA being established in 2002, it only became operational in 2013. For more information about the IBA and its mandate, see: GRZ 2002, *The Independent Broadcasting Authority Act No. 17 of 2002*, Government Printer, 2002.

- Cheema, GS 2005, *Building Democratic Institutions: Governance Reform in Developing Countries*, Kumarian Press, Westport.
- Cheeseman, N & Larmer, M 2013, 'Ethnopolitism in Africa: Opposition Mobilization in Diverse and Unequal Societies', *Democratization*, pp. 1–31.
- Cheeseman, N & Marja, H 2010, 'Parties, Platforms, and Political Mobilization: The Zambian Presidential Election of 2008', *African Affairs*, vol. 109, no. 434, pp. 51–76.
- Christian, T 1997, *The Rue of Many: Fundamental Issues in Democratic Theory*, Westview, Boulder, Col.
- Creswell, JW 2009, *Research Design: Qualitative, Quantitative and Mixed Approaches*, Sage Publications, Thousand Oaks.
- Daka, PA 2012, 'ECZ confirms PF engineered violence in Mufumbwe', *Times of Zambia*, 17 October. Available at [www.zambiareports.com](http://www.zambiareports.com). [Accessed 10 September 2022]
- Democratic Governance and Accountability Programme 2011, *Concepts and Principles of Democratic Governance and Accountability: A Guide for Peer Educators*, Konrad Adenauer, Kupula.
- Electoral Commission of Zambia 2011, *Electoral Laws: Acts of Parliament*, ECZ, Lusaka.
- Electoral Commission of Zambia 2016, *Electoral Commission of Zambia Act 2016*, ECZ, Lusaka.
- Electoral Commissions Forum and Electoral Institute of Southern Africa 2004, *Principles for Election Management, Monitoring and Observation in the SADC Region*, EISA, Johannesburg.
- Electoral Institute for Sustainable Democracy in Africa 2012, *Zambia General Elections: 20<sup>th</sup> September 2011*, EISA, Johannesburg. Available at [www.eisa.org.za](http://www.eisa.org.za). [Accessed 9 May 2022]
- European Union Election Observation Mission 2012, *Zambia Final Report: General Elections 20<sup>th</sup> September, 2011*, Government Printers, Lusaka.
- Evangelical Fellowship of Zambia 2012, *Submission to Parliament on Electoral Process and Good Governance*, EFZ, Lusaka.
- Fokwa, MH 2012, *Fourth Elections in the SADC Region: Challenges and Implications for Democracy*. Available at <http://hdl.handle.net/10210/8449>. [Accessed 9 May 2022].
- Government of the Republic of Zambia 1996, *Constitution of Zambia (Amendment) Act No. 18 of 1996*, Government Printer, Lusaka.
- Government of the Republic of Zambia 2002, *The Independent Broadcasting Authority Act No. 17 of 2002*, Government Printer, Lusaka.
- Government of the Republic of Zambia 2006, *The Electoral Act No. 12 of 2006*, Government Printer, Lusaka.
- Government of the Republic of Zambia 2011, *Statutory Instrument No. 52 of The*



- Electoral Act, 2006 (Act No. 12 of 2006), The Electoral (Code of Conduct) Regulations, 2011*, Government Printer, Lusaka.
- Government of the Republic of Zambia 2012, *The Anti-Corruption Act No. 3 of 2012* Government Printer, Lusaka.
- Government of the Republic of Zambia 2016, *Constitution of Zambia (Amendment) Act No. 2 of 2016*, Government Printer, Lusaka.
- Government of the Republic of Zambia 2016, *The Electoral Process Act No. 35 of 2016*, Government Printer, Lusaka.
- Guess, GM 2007, 'Adjustments for Fiscal Decentralization Programs to Improve Service Results in Bulgaria and Romania', *Public Administration Review*, vol. 67, no. 4, pp. 731–744.
- Guess, GM & Gueorguieva, V 2009, *Dysfunctional Decentralization: Election Management in Theory and Practice*, Centre for Democracy and Election Management, Washington DC.
- Gutto, S 2003, *Constitutionalism, Elections and Democracy in Africa: Theory and Praxis*, University of Witwatersrand, Johannesburg.
- Hitchcock, G & Huggers, D 1995, *Research and the teacher: A qualitative introduction to school-based research*, Routledge, London.
- Human Rights Watch 1996, 'Zambia: Elections and Human Rights in the Third Republic', *Human Rights Watch Publications*, vol. 8, no. 4 (A). [Accessed 9 May 2021]
- International IDEA 2002, *International Electoral Standards: Guidelines for Reviewing the Legal Framework of Elections*, International IDEA, Stockholm.
- International IDEA 2014, *Electoral Management Design*, International IDEA, Stockholm.
- Kaaba, O'B & Haang'andu, P 2020, 'Ethnic Mobilization, Horizontal Inequalities and Electoral Conflict', In: T Banda, O'B Kaaba, M Hinfelaar & M Mbulo, eds. *Democracy and Electoral Politics in Zambia*, BRILL, Leiden & Boston.
- Kabemba, C & Eiseman, M 2006, 'Multipartyism in Zambia', In: C Kabemba, ed. *Elections and Democracy in Zambia*, EISA, Johannesburg.
- Kapesa, R, Sichone O, & Bwalya, J 2020, 'Ethnic Mobilization, Horizontal Inequalities and Electoral Conflict', In: T Banda, OB Kaaba, M Hinfelaar & M Mbulo, eds. *Democracy and Electoral Politics in Zambia*, BRILL, Leiden & Boston.
- Kaplan, CA 1997, *A Guide to Transparency in Election Administration*, IFES, Washington DC. Available at [https://aceproject.org/main/samples/vr/vrx\\_002.htm](https://aceproject.org/main/samples/vr/vrx_002.htm). [Accessed 9 May 2022].
- Katongo, C 2012, 'Eighteen banned polling agents petition conflict management committee in Mufumbwe', *Zambia Daily Mail*, 7 November. Available at [www.zambiadailymail.com](http://www.zambiadailymail.com). [Accessed 10 September 2022].
- Kimball, DC & Kropf, M 2006, 'The Street-Level Bureaucrats of Elections: Selection

- Methods for Local Election Officials', *Review of Policy Research*, vol. 23, no. 6, pp. 1257–1268.
- Kombo, DK & Tromp, DLA 2006, *Proposal and Thesis Writing: An Introduction*, Paulines Publications Africa, Nairobi.
- Lasham, C & Smith, G 1992, *The Electoral Administration Manual*, Shaw and Sons Limited, Kent.
- LeBas, A 2006, 'Polarization as Craft: Party Formation and State Violence in Zimbabwe', *Comparative Politics*, vol. 38, no. 4, pp. 419–438.
- Lopez, P 2000, *Electoral Management Bodies as Institutions of Governance*. [Accessed 9 May 2022]
- Mikesell, JL 2007, *Fiscal Administration, Analysis and Applications for the Public Sector*, 7th Edition, Thomson Learning, Belmont, CA.
- Montjoy, RS 2008, 'The Public Administration of Elections', *Public Administration Review*, vol. 68, no. 5, pp. 788–799.
- Moynihán, DP & Silva, CL 2008, *The Administrators of Democracy: A Research Note on Local Election Officials*. [Accessed 9 May 2022]
- Mukunto, IM 2019, 'Electoral Violence and Young Party Cadres in Zambia', *Journal of African Elections*, vol. 18, no. 7, pp. 129–147.
- Munene, H 2014, 'Assessment of the Effectiveness of Election Administration and Promotion of Electoral Values in Zambia from 1991 to 2011', MA dissertation, Copperbelt University, Kitwe.
- Ntlohi, M 2001, 'Interim Statement by the SADC Parliamentary Forum Election Observation Mission on the Zambia Presidential, Parliamentary and Local Government Elections', Issued at Lusaka, Zambia, 30 December 2001.
- O'Donovan, M 2006, 'The Administration of Elections in Zambia', In C. Kabemba, ed. *Elections and Democracy in Zambia*, EISA, Johannesburg.
- Phiri, S 2011, 'Impact of Artisanal Small Scale Gold Mining in Umzingwane District (Zimbabwe): A Potential for Ecological Disaster', MA Dissertation, University of the Free State, Bloemfontein.
- Rakner, L & Svasand, L 2003, *Uncertainty as a Strategy: Electoral Processes in Zambia: 1991–2001*, Michelson Institute, Bergen.
- Southern African Development Community Parliamentary Forum 2012, *Zambian 2011 Presidential, Parliamentary and Local Government Elections: Election Observation Mission Report*, SADC-PF, Windhoek.
- Torres, LEM & Diaz, ECR 2015, 'Electoral Governance: More Than Just Electoral Administration', *Mexican Law Review*, vol. 8, pp. 33–46.
- Wall, A, Ellis, A, Ayoub, A, Dundas, CW, Rukambe, J & Staino, S 2006, *Electoral Management Design: The International IDEA Handbook*, International IDEA, Stockholm.

## APPENDIX

### PEMMO Standards on Election Administration Activities

#### Part 1: PEMMO Standards on Voter Registration

The voter registration process should:

- promote broad participation of eligible voters
- be continuous and accessible
- be allocated sufficient time for registration and confirmation cost effective
- allow party agents to monitor the process
- promote voting rights based on citizenship, legal age, residency and disqualify on certain grounds according to legal provisions

Source: Compiled from ECF & EISA, 2004, pp. 15–16

#### Part 2: PEMMO Standards on Monitoring Political Party Finance and use of State Resources

There is requirement for:

- public funding to be extended to all political parties and independent candidates
- the EMB to regulate the use of public funds and beneficiaries should be accountable to the EMB
- establishment of rules governing the disclosure of all sources of funding of political parties
- regulated use of public resources for political campaigns to promote a level playing field
- avoidance in use of public resources for political party campaigns and activities

Source: Compiled from ECF & EISA, 2004, pp. 19 & 21

### **Part 3: PEMMO Standards on Media Coverage and Access**

With reference to media coverage and access:

- all contesting parties and candidates should have equal access to public media
- media regulations should be issued by an independent media authority responsible for monitoring and regulating the media on a continuous basis
- media coverage of the elections should be subject to a Code of Conduct designed to promote fair reporting

Source: Compiled from ECF & EISA, 2004, pp. 18–19

### **Part 4: PEMMO Standards on Validating Election Results**

With reference to counting and announcement of results:

- the EMB retain responsibility to manage the counting process
- there should be clear counting procedures known to all stakeholders
- counting staff should be given effective training
- results to be announced immediately counting ends and be posted to counting station
- centres should be established
- electoral legislation to establish a specific timeframe with which to announce results
- results from result centres should be announced publicly

Source: Compiled from ECF & EISA, 2004, p. 26.

### **Part 5: PEMMO Standards on Conflict Management and Prevention**

With reference to conflict management and prevention:

- legislative framework to incorporate alternative conflict management processes
- formation of stakeholder liaison committees has to be facilitated by the EMB
- independent, skilled and well-trained mediators and arbitrators should staff the conflict management panels established by the EMB
- agreements to be reached through mediation, conciliation and arbitration and should be enforceable by law
- appeals to be dealt by the courts of law

Source: Compiled from ECF & EISA, 2004, p. 13