

AFRICAN UNION
الاتحاد الأفريقي



UNION AFRICAINE
UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243

Telephone 251-11-5517700

Fax: 251-11-5517844

African Union Election Observation Mission to the Harmonised Elections of 31 July 2013 in the Republic of Zimbabwe

Preliminary Statement

Rainbow Towers, Harare, Zimbabwe

2 August 2013



**AFRICAN UNION OBSERVER MISSION TO THE 31 JULY 2013
HARMONISED ELECTIONS IN THE REPUBLIC OF ZIMBABWE**

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Preliminary Statement

I. Introduction

The Chairperson of the African Union Commission, Her Excellency Dr. Nkosazana Dlamini-Zuma, deployed a 60 member African Union Election Observation Mission (AUEOM) to the 31 July 2013 Harmonised Elections in the Republic of Zimbabwe in accordance with the African Charter on Democracy, Elections and Governance (2007) and the OAU/AU Declaration on the Principles Governing Democratic Elections in Africa (2002).

His Excellency, Chief Olusegun Obasanjo, former President of the Federal Republic of Nigeria, led the AU-EOM supported by the Deputy Head of Mission, Her Excellency, Dr Aisha Abdullahi, Commissioner for Political Affairs, African Union Commission. Members of the Mission are drawn from the Pan-African Parliament, African Ambassadors to the African Union in Addis Ababa, Election Management Bodies (EMBs) and Civil Society Organisations. The Mission is supported by a team of experts from the African Union Commission (AUC), the Pan-African Parliament (PAP) and the Electoral Institute for Sustainable Democracy in Africa (EISA).

II. Mission Methodology

The African Union (AU) Mission's observation of the 31 July 2013 Harmonised Elections in the Republic of Zimbabwe adopted the Long Term Observation Methodology, which covers the pre-election, election and post election phases. The first component of the AU Mission involved the deployment of 9 Long Term Observers (LTOs) on June 15 who observed several components of the electoral cycle including: voter registration, candidates' nomination, campaigning, voter education, the training of election officials, special voting¹ and other aspects of the pre-election phase. The second component was the deployment of 60 Short Term Observers (STOs) who joined the LTOs on 23 July 2013. After arrival in the country, the Mission Leadership met with the relevant authorities and various electoral stakeholders, including the Zimbabwe Electoral Commission (ZEC), presidential candidates, political parties, government officials and civil society groups. The Mission deployed 26 teams of observers to all 10 provinces across the country to observe the final stages of the campaigns, pre-polling activities, and polling and counting in 350 voting stations.

¹The special voting is for members of the disciplined forces and Zimbabwe Electoral Commission officials on election duty

III. Election Day findings

Drawing on the plethora of information gathered in the pre-election phase; and based on its observations and consultations with a range of stakeholders; the AUEOM hereby issues the following preliminary statement:

IV. General Environment

1. The poll was an important phase in a series of measures undertaken by the Inclusive Government, under the terms of the Global Political Agreement of 2008, during which Zimbabweans approved a new Constitution. The Mission notes further that the new Constitution, enacted in May 2013, contributed immensely towards the improvement of the political climate in the country for holding peaceful elections.
2. On 31 July 2013, Zimbabweans went to the polls with enthusiasm and in large numbers to elect their President, Parliamentarians and Local Authorities. The voting and counting processes took place in a peaceful and tranquil environment. Most of the polling stations observed by the AUEOM opened on time and were generally fully staffed, with all the required materials, and adequately secured by the Zimbabwe Republican Police [ZRP].
3. The poll followed a generally peaceful campaign period for which the Mission commends Zimbabwean citizens and political parties who consistently conveyed messages of peace and non-violence to their supporters and the public at large.
4. The voting was carried out in an atmosphere devoid of violence, harassment and disturbances.

Preparedness of the Electoral Management Body

5. The Mission notes that the institutionalisation of an electoral management body in Zimbabwe, in line with AU principles for democratic elections, has improved confidence in the integrity and professionalism of Zimbabwe Electoral Commission to manage elections. The Mission notes the improvement in the manner in which the Zimbabwe Electoral Commission managed the logistics of the 31 July, election after the lessons learnt from the special voting process.
6. The Mission further notes the initiatives taken by the Zimbabwean Electoral Commission to recruit and train officials who were professional in the conduct of the process on Election Day.
7. The Mission observes generally, that from a historical perspective and in comparison to the 2008 elections, Zimbabwe has made an important transition in the conduct of its elections.
8. *However, the AUEOM, also takes cognisance of several short-comings in the preparations for the poll and on polling day:*

Inspection of the Voters' Roll by the public and provision of copies to candidates;

- a. While Sections 20 and 21 of the Electoral Act requires ZEC to provide a copy of the Voters Roll within 'a reasonable' period of time, the Mission notes that the final Voters Roll, was made publicly available two days before the election - rather late for meaningful inspection and verification by voters, parties and candidates to take place.
- b. Whereas, the Mission takes note of the rationalisation provided by the Registrar-General of Voters (RGV) to the Mission leadership in respect of the financial and time constraints faced by the RGV in compiling, updating and finalising the Voters Roll within the limited timeframes following the proclamation by the President of the Republic of Zimbabwe of the 31 July as the election date, it is our view that the reasons for the non-availability of

electronic copies of the final Voters Roll should have been publicly communicated to ease the anxieties that have been consistently expressed by several stakeholders throughout the pre-election period.

- c. Given the strategic importance of a Voters' Roll to the conduct of a transparent electoral process, it is the Mission's view that the RGV and ZEC should have collaborated to ensure that all stakeholders were timely and regularly updated on the constraints and challenges relating to the Voters' Roll; and efforts being made to rectify them to meet the 31 July deadline. The Mission believes this could have minimised the persistent negative pre-election perceptions regarding the Voters' Roll. Further, greater transparency on the matter may have allayed fears raised by political contestants on the veracity of the voter's roll.
- d. The Mission continues to express grave concerns about the matter of the Voters' Roll: Despite assertions by the RGV that hard copies of the voter roll were availed to all political parties, - other than for one political party - observers have found no evidence that hard copies were generally available to all who required them and who by law should have them.
- e. Related to this, the Mission notes serious concerns raised by some stakeholders regarding the duplication and omission of voter names, which must not be allowed, casting doubts on the possible outcomes of the elections. The concerns about the voters roll are critical in determining the degree of disenfranchisement or disqualification of legitimate voters from voting.
- f. It is the Mission's view that, the Voters' Roll should be made available on time and displayed publicly in accordance with the law.

Printing of ballot papers

- g. The Mission notes that the number of ballot papers printed (8.7 million), corresponding to 35% above the number of registered voters, was significantly higher than international best practices (5 -10%) and raises concerns of accountability of unused ballots. It is the Mission's hope that ZEC will accomplish the task of accounting for the ballots to the satisfaction of stakeholders and all interested parties.
- h. The Mission further notes that a significant number of local government ballot booklets had missing ballot papers and were not serially identified. One such case was noted at a polling station at Town House where two local government ballot booklets had only 99 papers instead of 100.

High incidence of voters turned away

- i. The Mission notes with great concern the high incidence of voters who were turned away at polling stations. Illustrative of this widespread phenomenon, in a polling station in Gwanda, Matebeleland South, 85 voters were turned away. Reasons adduced by polling officers varied from voters appearing at the wrong ward and names not found on the Voters' Roll.

Late publication of final list of polling stations

- j. The late publication of the final list of polling stations, barely 48 hours to the opening of polls, may have contributed significantly to the high number of voters who were turned away for being at the wrong polling stations and/or redirected to other polling stations or

referred to the Command Centre. AU observers generally noted the recurrence of this phenomenon in various polling stations they observed. It would help to allay the fears and reduce agitation about possible disenfranchisement if ZEC would make public the total number of eligible voters that could not exercise their civil right and duty of voting.

High number of assisted voters

- k. The Mission notes the occurrence of high number of assisted voters in many polling stations nation-wide. Examples include polling stations in Muzarabani District, Mashonaland Central; at Musengizi, at the time of observation, 97 voters out of 370 were assisted; Kapembere Primary School 77 voters out of 374 were assisted and Bore Primary School 85 voters out of 374 were assisted. Furthermore, at a polling station observed by the AU Mission in Manicaland there were 97 assisted voters out of a total of 370 voters.
- l. While the current electoral laws provide for assistance by presiding officers, electoral officers and police officers, the involvement of such officials may influence or restrict the free will of the assisted voter.

Media

- m. The media was highly polarised along party lines and generally biased in their reporting, in clear violation of Article 160 J of the Electoral Act. The Mission reiterates that the State broadcaster could have provided a balanced platform for all competing parties and alternative voices in accordance with Article 17(3) of the African Charter on Democracy, Elections and Governance.

The African Union Mission hereby clarifies that this is a preliminary statement based on observations and consultations undertaken until the end of Polls. The Mission will therefore continue to observe the process until its conclusion, when a final assessment will be made. The AU Long Term Observers will remain in-country until 14 August 2013 to observe the post-election phase. The AU Mission will release a more detailed final report with recommendations that will be shared with the Zimbabwean authorities and availed to the general public through the African Union website within a two month timeframe.

Conclusion

The Mission wishes to express its hope for a successful conclusion to the 2013 Harmonised Elections, and urges all electoral stakeholders in Zimbabwe to continue to communicate messages of peace and non-violence to sustain the reigning calm political environment. To this end, it is critical for all contesting political parties to pursue the established legal channels and dispute resolution mechanisms in resolving disagreements that might arise.

Harare 2 August 2013