

PAN-AFRICAN PARLIAMENT

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THE PAN AFRICAN PARLIAMENT ELECTION OBSERVATION MISSION TO THE 2008 HARMONIZED ELECTIONS IN ZIMBABWE

INTERIM STATEMENT

In compliance with a decision of the Bureau of the Pan African Parliament (PAP), an Election Observation Mission was established to observe the 2008 Harmonised Elections in Zimbabwe on 29 March 2008. The Mission's overall objective is in line with the African Union (AU) Article 3 of the Constitutive Act and Article 3(3) of the Protocol Establishing the PAP.

In line with this objective, the PAP Mission to the 2008 Harmonised Elections in Zimbabwe had the following specific objectives:

- *To assess whether the 2008 Harmonised Elections in Zimbabwe met the guidelines set out in the OAU/AU Declaration on the Principles Governing Democratic Elections in Africa, as well as in the recently adopted AU Charter on Democracy, Elections and Governance.*
- *To determine whether these elections were conducted in accordance with the constitutional and electoral framework in force in the country;*
- *To establish whether the results of the elections were a true reflection of the democratic will of the people of Zimbabwe;*
- *To make recommendations for possible actions that could be taken to improve the holding and conduct of subsequent elections in Zimbabwe and on the African continent.*

The mandate of the Mission is, therefore, to make an independent, impartial and objective assessment of the electoral process in Zimbabwe.

Composition of the Mission

The PAP Mission was composed of nineteen (19) Members of Parliament drawn from the five regions of Africa and included Parliamentarians from both ruling and opposition parties in their countries of origin. However, as per the principles of the PAP, the Members of this Mission represented neither their countries or governments, nor their political parties, but the Pan African Parliament.

Methodology adopted by the Mission

In order to ensure a systematic and comprehensive observation of the elections in Zimbabwe, the PAP Mission adopted the following methodology:

- *Pre-deployment orientation workshop.* With the support of EISA, PAP held a three-day orientation workshop from 19-21 March 2008 in Midrand, South Africa. The aim of the workshop was to provide the MPs with an opportunity to discuss in detail the concept and mechanics of election observation.
- *Pre-polling briefings with election stakeholders in Harare.* Upon arrival in Harare on 22nd March 2008, the Mission held extensive briefings with the election stakeholders. These included the Zimbabwe Electoral Commission (ZEC), political parties, civil society organizations (CSOs), the police, academics and the media. During these briefings, Members had an opportunity to learn about the electoral system, the legal framework, the level of preparedness as well as the main concerns of the different stakeholders in Zimbabwe.
- *Meetings with stakeholders and observation of the campaign.* Following the briefings in Harare, the Members of the Mission were divided into ten teams of two MPs and one support staff each. On 26th March 2008, the teams were deployed to the ten provinces. On arrival in the provinces, the teams held meetings with different local election stakeholders. The teams also observed rallies and other campaign activities.

Concerns raised by stakeholders

During the meetings with the various stakeholders, a number of concerns were brought to the attention of the Mission. The mission noted among others the following concerns:

- The imbalance of the distribution of polling stations in both rural and urban constituencies in relation to the total number of voters per polling station
- Delayed availability and non-updated voters' roll
- The intimidating presence of police officers in the polling stations.
- The inflated number of ballot papers printed
- Inadequate information and transparency of the Postal ballot
- Access to state media and inequitable allocation of time and space
- Independence and the role of the Electoral Commission
- Statements made by the heads of the different security services
- Non-consultation on the delimitation of constituency boundaries and allegations of gerry-mandering
- Inadequate Voter Education and Information
- Inconsistent adherence to electoral legislation and regulations
- Possible vote rigging

Preliminary Observations and Findings

With these concerns in mind, the mission made representation with the relevant authorities including, the Chairperson of the ZEC, Commissioner of Police, political parties, etc. After deployment, teams familiarised themselves with the political environment prevailing in their areas of assignment. They were able to assess the level of preparedness particularly on the part of the polling staff in readiness for the 29th March 2008. On election-day, the teams were up to the task, waking up very early in the morning and coming back to base in the early hours of the following morning, having observed the opening, closure and counting processes. These activities allowed the Mission to make the following preliminary observations and findings:

- The mission would like to begin by noting the fact that the 2008 Harmonised Elections in Zimbabwe took place against positive constitutional and legislative reforms.
- After observing the opening, closing and counting at the different polling stations, the teams concluded separately that generally the voting was conducted in a transparent and efficient manner. The fears of the different stakeholders relating to the number of polling stations and their

capacity to process the voters did not arise. Indeed, the Commission provided three voting booths in all polling stations and furthermore in urban areas the Commission provided for composite polling stations, i.e. polling stations with more than one voting rooms.

- The voters roll was not accessible to the public timeously and to the various stakeholders. The soft copies provided were not user friendly and the format used (jpg) made it very difficult to carry out any analysis of the voters roll something which also raised suspicions of calculated vote rigging.
- The Mission noted with concern a suspected case of gerry-mandering in Harare North Constituency and deployed a team to verify the matter. Subsequently, the mission sought clarification from the ZEC. In response, the Electoral Commission indicated that the law provides for a communal address system whereby the community members can be registered using the same address. The Mission is of the view that the communal address registration system can be abused and give rise to gerry-mandering which can unduly influence the outcome of the election.
- The Mission noted that for the purpose of the harmonised elections, the ZEC conducted a delimitation exercise and published a report. It would appear, however, that the newly demarcated boundaries have not been well publicised creating confusion to some voters who ended up being deprived of the opportunity to vote.
- The Mission noted with concern that stakeholders were not well informed about how, when and where the postal voting would take place.
- The Mission was informed that the Commissioner of Police, Chief of Staff of the Zimbabwe Armed forces as well as the Commissioner of Prisons made statements according to which they would not salute any president elected apart from the incumbent President. Representation was made to the Assistant Commissioner who stood in for the Commissioner of Police seeking clarification regarding these statements, but the reply was unprofessional and regrettable. These statements violate the professional ethics of the security services and goes against the spirit of a democratic electoral process by its intimidatory nature. Furthermore, the Mission decries the fact that the appropriate authorities, who are expected to protect the integrity of the electoral process failed to denounce such unfortunate outbursts .
- The Mission learnt that the voter education and information which legally is conducted by ZEC was inadequate. Many stakeholders that briefed the mission believe that part of the reason for the insufficient voter education was the lack of involvement of other stakeholders such as CSOs. However, the various teams of the PAP reported that the number of spoilt ballots which normally indicates the level of the voters' understanding of the process, were relatively low. PAP Mission would recommend, that the ZEC should devise mechanisms that allows for continuous voter education programmes.
- The Mission observed and analysed the electoral campaign. The Mission noted with satisfaction the fact that the campaign took place in an environment of peace, order and high levels of tolerance. The Mission commends both the people of Zimbabwe and the political leadership for the level of maturity and tolerance demonstrated during the campaign and the voting process which removed the NO-GO-AREAS from its political lexicon. The mission however was concerned by the prevalence of negative campaign messages which may have led to some incidents of violence. The Mission would like to condemn in the strongest terms any act of violence and in this respect commends the police for its zero-tolerance. The police displayed a high degree of professionalism on the voting day inside and outside the polling stations.
- The donations which were made on the eve of the elections in the form of buses, computers, cars, food and agricultural implements, etc, send a negative message and were presented to the Mission by other stakeholders as some form of electoral bribery. Whilst the Mission appreciates

that the government in power has certain obligations towards improving the welfare of the citizenry, it nevertheless believes that the timing of such generosity was unfortunate.

- The Mission learnt that, the ZEC had printed a total of 9 million ballot papers for each of the four elections. This number represents about 50% in excess of the total number of the registered voters. Opposition parties as well as civil society groups raised consistently with the mission their dissatisfaction with the issue. When the mission raised this issue with ZEC, the Chairman indicated that it was for “strategic reasons”.
- The Mission was satisfied with the legal provisions aimed at ensuring the independence, impartiality and transparency of the ZEC. The mission also applauds the transparent and efficient manner with which the ZEC has managed the voting process. The Mission calls upon the ZEC to reach out to all political players, civil society organisations, etc with a view to quell the level of suspicion and mistrust prevailing currently.
- Certain allegations made by some stakeholders were proved to be unfounded and baseless.

Conclusion

Notwithstanding the above, the Mission has concluded that the environment for holding an election was conducive. It is the Mission’s considered view that the irregularities that were detected were not so major as to compromise the flow of the electoral process. However the Mission is concerned that two days after the closure of the polls, the overall outcome of the elections remains unknown. This concern was communicated this afternoon to the Chairperson of the Commission.

On the overall, the basic conditions of credible, free and fair elections as contained in the OUA/African Union Declaration on the Principles Governing Democratic Elections in Africa of 2002 were reflected in the Zimbabwe Harmonised Elections, thus far. Nonetheless, the post-election phase which forms part of the entire electoral process, including the announcement of results, remains a concern and needs to be closely monitored.

Finally, the Mission would like to convey its deep gratitude to the government and people of Zimbabwe for inviting the Pan African Parliament Observer Mission. The Mission would further like to commend the ZEC for its cooperation and the manner with which it availed itself to the Mission.

Hon Marwick T. Khumalo
Mission Leader