

C/O IEC –Botswana
7th Floor- Block 8
Government Enclave
P/Bag 00284
Gaborone, Botswana



Tel (+267) 3180012
(+267) 3612400
Fax (+267) 3180016
(+267) 3905205
URL- www.sadc-ecf.org

ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES

THE OBSERVATION STATEMENT SUBMITTED TO THE ZIMBABWE ELECTORAL COMMISSION

INTRODUCTION

The Electoral Commissions Forum (ECF) of the Southern African Development Community (SADC) countries received an invitation from the Zimbabwe Electoral Commission dated 19th May 2008 to observe the Presidential Run-off elections and three House of Assembly by-elections held on the 27th June 2008 in Zimbabwe. In response to this invitation, the ECF duly deployed a 25 member Observer Mission.

The Mission hereby presents this statement on its observations. A full report including recommendations will be availed at a later stage.

About ECF-SADC

This is an autonomous body of electoral commissions in the SADC region which cooperate and support each other on electoral matters. The Forum is governed by a constitution that seeks to promote:

- Conditions conducive to free, fair and transparent elections
- Democracy as a political system of responsible and accountable government through the electoral process.

The rationale behind the Forum observing elections in the SADC region, is to assist fellow election management bodies identify areas requiring improvement in elections administration.

Mission Composition

The Electoral Commissions represented in the Observer Mission were from the following countries:

Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mozambique
Namibia, Republic of South Africa, Tanzania, Zanzibar and Zambia

The first delegates arrived in Harare on the 20th June, 2008 and the Mission was led by Malefetsane Nkhahle, a Commissioner of the Independent Electoral Commission of Lesotho. Prior to this mission, a 21 member ECF^F mission observed the March 29th harmonised elections.

Mission activities

The Mission organised a seminar where a number of stakeholders were invited to make presentations on the following:

- (a) The state of preparedness by the Zimbabwe Electoral Commission.
- (b) Media and elections; Impartiality and coverage of contesting parties.
- (c) The perspective of contesting political parties on elections.
- (d) The Zimbabwe Electoral System and
- (e) The perspective by Civic Society and Non Governmental Organisations.

The Mission also held consultative meetings with other observer missions such as SADC, PAN-African Parliament and African Union to share notes about the context in which elections will be conducted.

Pre election period briefings

The interactions with various stakeholders revealed some factors which the Mission noted could affect the conduct of elections and the context within which elections would take place. Some of the concerns brought to the Mission's attention were as follows:

- The anxiety associated with delay in the announcement of results of the March 29th elections
- Reports of politically motivated violence and intimidation of voters in the period leading to the Run-off elections.
- Acts of violence blamed on both contesting political parties (ZANU-PF and MDC-T) and consequent withdrawal of MDC-T as a contesting party, citing widespread violence and intimidation of MDC supporters as the reason. Arising from the withdrawal was the issue of whether the election would continue or not.
- A hostile environment, not generally conducive to the holding of credible elections.
- Arrest of 120 ZEC officials following the harmonised elections.
- MDC was repeatedly prevented from campaigning freely by ZANU-PF supporters.
- Rampant harassment of opposition candidate, officials and supporters, media as well as human rights activists perceived to be MDC-T sympathisers.
- Total lack of coverage of opposition candidate by public media.
- Unlike in the harmonised elections, the campaign adverts in the public media were exclusively ZANU-PF.
- Inadequate voter education.
- Restricted number of local observers.
- Inadequate interaction between Zimbabwe Electoral Commission and stakeholders.

Deployment

The deployment covered four of the ten provinces in Zimbabwe, namely; Harare, Mashonaland East, Mashonaland West, Mashonaland Central. Harare was covered by two teams. All the teams managed to make pre-poll visits in their assigned provinces to familiarize themselves with the location of the polling stations and to assess the level of preparedness on the part of the Zimbabwe Electoral Commission.

Observations

The Mission noted the following:

- In terms of coverage, the state media exclusively covered the campaigns by the ruling ZANU-PF with no coverage of opposition party, MDC-T.
- The principles of equitable access to public media were not complied with. The opposition – MDC- T was not granted airtime to communicate its messages.
- Absence of local observers under the umbrella- Zimbabwe Electoral Support Network (ZESN) due to their withdrawal from participating in the Run-off elections.

Notwithstanding the above, the Zimbabwe Electoral Commission proceeded to finalise the preparations for the elections.

With regard to polling day, the Mission observed that:

- The opening of polling stations procedures were adhered to.
- There were only agents from one contesting party (ZANU-PF). MDC did not deploy any agents due to withdrawal of its candidate from the elections.
- Foreign observers were seen at some polling stations visited.
- Election materials were adequate in all polling stations visited.
- The lay-out within the polling stations facilitated smooth and logical flow of the voting process.
- The polling staff were adequately trained.
- Several voters were turned away from polling stations due to non-appearance of names in the voters roll, reporting at wrong polling stations and late registration.
- There was a high number of spoiled ballots which was not the case during the harmonised elections.
- There were cases of active security personnel involvement in the voting and counting processes which rightly ought to be the responsibility of electoral staff.
- There was low voter turn-out at most polling stations visited.
- The closing of poll and counting procedures were adhered to.

Concluding Remarks

On the basis of the fore-going statement, the Mission is of the opinion that the elections were conducted in compliance with the laws of Zimbabwe. In addition, the Mission is satisfied that ZEC was adequately prepared to conduct the Presidential Run-off elections. However, the Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO)ⁱ guidelines on the Pre- Election phase such as campaigning, media, use of public resources, political violence and intimidation were not adequately complied with.

Hon. Commissioner Malefetsane Nkhable
Mission Leader

30th June 2008, Harare, Zimbabwe

