

SADC PARLIAMENTARY FORUM

Election Observation Mission Zimbabwe 2000

**OBSERVERS REPORT ON NATIONAL ASSEMBLY ELECTION
IN ZIMBABWE
24 - 25 JUNE 2000**



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Our thanks also go to the other observer delegations with whom we held discussions and exchanged views, notably General Abubakar and the Commonwealth Mission, the OAU delegation headed by Professor Amos Sawyer (former President of Liberia) the European Union and the Electoral Commissioners Forum in SADC countries.

A special word of gratitude goes to the regional SADC national Parliaments who seconded the staff to augment the core group of the Forum Secretariat. This is evidence of a close working relationship between Parliaments, which is a healthy sign for the sustainability of the Forum. The cooperation of the media, too, greatly assisted our work.

To you all, thank you for contributing to Zimbabwe's future and hopefully to the prosperity of the region as a whole.

POINTS OF ENQUIRY

There are general terms of reference for monitoring pre-election conditions. They must be tailored to fit the specific conditions of each country. In addition, the process of information gathering cannot be applied uniformly to each election. When problems arise in response to questions they should be considered in terms of their complexity and magnitude.

1. Legal Framework for the Election

What are the components of the legal framework for the election?

- Is it a political accord or peace agreement?
- Is it a comprehensive code or series of laws?
- Is it a series of rules and regulations?

How does the legal framework compare to international standards and regional practices?

- In terms of internal consistency and clarity?
- In terms of comprehensiveness?
- In terms of the degree to which transparency is required;
- In terms of the degree of redress available to the electorate?

Where a previous legal framework existed, what changes were made concerning the:

- Type of election system?
- Ballot and tally sheet design?
- Composition of the election commissions?
- Rules surrounding domestic or international monitoring?
- Complaint procedure?

Which process was applied to drafting and approving the electoral law?

- Was there public and/or legislative debate?
- Was it a pluralistic public and/or legislative debate?
- What role did civic groups play in the process?

Is the debate reflected in the final product?

Is the law widely accepted?

What complaints have been raised regarding the substantive provisions of the law?

Does the electoral law place any unreasonable restrictions on political party participation? Is political pluralism recognised and sanctioned?

Is the law free of language which limits the ability of women and disadvantaged groups to participate fully in elections, either as individual voters, as members of organised political parties and as candidates?

Does the law allow access for independent monitors, domestic and/or international, at all stages of the process?

Are there any gaps or weaknesses in the law which could allow for interpretation of the law that might lead to unfair practices?

Does the law provide adequate safeguards against fraud in the balloting and counting processes? What are the responsibilities of the election administrators in this regard?

Have the specifications of the law been publicised to the public? Through what means? Media? Voter education?

2. Election Administration

The Observer Mission must establish which body is responsible for administering the election, how its staff were selected at the national, district and local level and whether the electoral authority is seen as independent.

They must know:

If political parties and civil society are satisfied that administration is neutral;

If complainants are able to file complaints against the electoral administration if dissatisfied, as well as how the electoral administration has responded to complaints.

What is the relationship between national and local election administrators? How will the communication between these levels be facilitated? Does the election authority have adequate resources to fulfill the requirements of the law and are those resources provided in a timely fashion? Have district boundaries changed in anticipation of elections?

On what basis were the changes made (e.g. census, date of census)?

What are the likely political effects of the changes?

Have any complaints been issued regarding the changes?

Are any districts significantly out of proportion to others?

Factors to be considered in compiling voter registers/rolls:

Have they been updated since the last elections?

When was the last time the voter rolls were audited?

What are the plans for publishing the voter registers?

Do the parties have an opportunity to review the voter registers and challenge inaccuracies if necessary?

What is the procedure for handling complaints concerning the registers?

What is the percentage of eligible voters registered to vote?

What percentage of eligible voters have received verification of their right to vote, such as voter ID cards?

Has the electoral administration met the imposed deadlines for completing registration, candidate filing, voter ID card distribution and other important deadlines?

Are there reasonable criteria for determining eligibility to vote (consider both excessive restrictions and lax requirements)?

On election day, what form of identification will be required to vote?

Are there reasonable provisions to prevent persons from voting twice on election day?

Are the political parties and independent monitoring organisations satisfied with the administrative preparations?

Is the information which they have received from the election administrators up to date?

What administrative issues still need to be addressed?

What preparations have been made for election day supplies, such as boxes and ballot papers?

Will there be enough materials?

Is there a mechanism for documenting and adjudicating election-related complaints?

Is the complaint mechanism impartial and capable of rendering effective remedies?

Are the parties familiar with how to use the mechanism?
Are the complaints by political parties and others credible?

What is the status of training of poll workers?

Are previous poll workers being recruited?
Is new training being conducted?

Will voter identification cards be fully distributed by election day?

Are there procedures to allow those who have not received their new ID to vote?
If so, what are the procedures?

Are the political parties and independent monitoring organisations satisfied with these procedures?

What provisions have been made concerning access of political parties, independent monitoring organisations and international observers to information and polling sites prior to, and on, election day?

What procedures are in place to ensure that the counting on election day occurs fairly?

Where will ballots be counted?

If ballots are to be transported before counting, is the transportation process secure?

3. Political Parties

What are the requirements for being registered as a party? Which parties and coalitions are participating in the elections? Have any parties been proscribed?

Are there organised opposition parties?

What rights are guaranteed to political parties in the context of the election campaign (e.g. Organising rallies, access to media, financing)?

What is the procedure for nominating candidates? Can independents secure a place on the ballot?

Is there an appeals process for candidates/parties who are denied registration?

Are there any threats of election boycotts? If so, are they credible?
How will they affect the elections?

4. Election Campaign

How are the parties communicating their respective messages to the electorate? Are laws affecting the campaign being enforced? The laws include the areas regarding:

Media time;
Campaign financing;
Use of government resources.

Are the authorities using the pretext of public safety, threats of conflict or instability in a manner that restricts the political activity and expression of candidates or groups during the campaign?

What complaints have been lodged by political parties or citizens regarding the nature of the campaign? Did the complaint mechanisms function properly?

What are the issues that dominate the election campaign?

Are the political parties able to campaign among all eligible voters (including voters abroad, in military barracks and in prison)? If so, what is the procedure and does it provide an equal chance to all competitors?

Does the campaign period allow adequate opportunity for the parties to communicate their messages to prospective voters?

Were any parties restricted from campaigning in any part of the country?

How are government resources being used in the campaign? Is there any evidence that government funds and services are being used to advance the fortunes of a particular candidate or political party?

Are election symbols being used? If so, are parties satisfied with the allocation of election symbols?

Does campaign finance factor into the election process? Are there any restrictions on campaign finance? Is there a distinct inequity between the financial support received by women and members of disadvantaged groups as a whole compared with men and dominant groups?

5. Media

How do people obtain election information?

- Private and/or public TV and radio?
- International TV and/or radio?
- Newspapers?
- State-sponsored voter education programs?
- Privately sponsored voter education programs?
- Word of mouth?

Approximately how many public and private TV stations exist?

What bodies are established to organise programming and who licences the stations? Are e programmes and newspaper s seen as independent by the public and/or political parties?

How many newspapers are there in circulation?

Do the political parties have their own newspapers?

Are there independent newspaper s?

What is the circulation of these newspapers?

Are there impediments to wide distribution of newspapers?

Is media access and the scope of campaign coverage equitable for all political parties and candidates? Is access to paper, ink and other goods being supplied, or withheld in a manner that influences the character of media coverage?

Is there a procedure to gauge and rectify unfair and/or unbalanced news coverage of parties or candidates on state-controlled electronic media?

Is the media free of censorship and undue influence from the government in covering political parties, the government and events of import to the elections?

Have the media generally been helpful in providing necessary details of the election, e.g. polling place sites?

Are parties provided with direct-access time slots to air their messages? How are they allocated? When are they broadcast?

What languages are used in campaign broadcasting, especially on radio?

Have the media been covering campaign problems to date?

6. Women and Disadvantaged Groups

Is the system sufficiently open to women?

Have female candidates and voters been equally treated?

Are women's polling stations accorded equal treatment and allocated equal resources to those of men?

Are women able to register and receive ID cards as easily as men?

Do minority groups feel free to participate in the political process?

What is the degree to which the political participation of women and members of disadvantaged groups mirrors the level of political participation of the general electorate? Are they able to fully participate as voters, candidates, poll-workers and election monitors?

Will polling stations be as accessible to women and disadvantaged groups as they are to men and dominant groups?

7. Security, the Role of the Police and Intimidation

Are there any restrictions, de jure or de facto, on individuals joining political parties or participating in political events?

Are local civil authorities abusing their control of local services to unduly influence the voting inclinations of citizens?

Have complaints been received regarding intimidation? If so, what are the nature of these complaints, and against whom, are they directed?

What is the role of security force and the military in the election campaign?

What role will the army play, and what is the scope of their involvement in the electoral process? Where will army representatives be stationed on election day? Will they be armed? Will they be allowed to vote, if so, what is the procedure?

Is the army seen as politically neutral by political parties, the general public, domestic monitors and other interested parties?

8. Voter Education and the Role of Independent Organisations

What specific steps are being taken to educate citizens about the election process?

Does the government have any legal responsibility to educate voters? If so, which authority is responsible?

Have any non-governmental organisations taken responsibility for

educating voters? If so, what were their activities?

Do voters appear to be knowledgeable of the political parties and independent candidates participating in the elections? Are they aware of registration, balloting and complaint procedures in the election process?

Have there been any special efforts made to offer women and members of disadvantaged groups voter education? If so, do those efforts appear to be effective?

Are non-governmental groups and/or political parties playing any other role in the electoral process besides voter education or election monitoring? If so, are citizens involved through these mechanisms?

9. Election Monitoring

Have domestic or international monitors been involved in the pre-election period? Do they have access to the electoral authority? Does the electoral authority review and discuss the findings of domestic and/or international monitors?

What is the public awareness of domestic and international monitors? Does their presence or absence seem to affect public confidence in the elections?

What is the attitude of the different sectors of society toward international observers? What is the observer's role in the election process?

Do the election laws and procedures provide for monitoring of pre-election and election day processes by:

Political party representatives?

Non-partisan domestic election monitors?

International election observers?

News media?

Is any political party, civic organisation or coalition of civic organisations willing and able to conduct an effective PVT as part of their monitoring operation? Is the civic organisation seen as independent and impartial by political parties, the press and the public?

PRE-ELECTION OBSERVATION DELEGATION GROUP 27 MAY-12 JUNE 2000

Delegation Members

1. Hon Helder Albuquerque, MP, Angola
2. Hon Slumber Tsogwane, MP, Botswana
3. Hon LT Sekamane, MP, Lesotho
4. Hon MP Mohasoane, MP, Lesotho
5. Hon J Chikwenga, MP, Malawi
6. Hon Nora Schimming-Chase, MP, Namibia
7. Hon George Bibi, MP, Seychelles
8. Hon Dr S Mzimela, MP, South Africa
9. Hon S Ntlati, MP, South Africa
10. Hon Frank S Dlamini, Swaziland
11. Hon Athuman Janguo, Tanzania
12. Hon KK Kamanga, MP, Zambia
13. Dr Kasuka Mutukwa, Secretary General, SADC Parliamentary Forum

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1. Ms Diana Mugaviri, SADC PF
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3. Ms Theresa Philemon, Namibia
4. Ms Hilda Kazela, Zambia
5. Mr Stephen Kateule, Zambia
6. Mr Domingos Daniel (Interpreter/Translator)

PRESS STATEMENT: 26 MAY 2000

The Southern African Development Community Parliamentary Forum SADC (Parliamentary Forum) Election Observation Mission of Zimbabwe Elections

A delegation of 25 Members of Parliament from the 12 National Parliaments in the SADC region will be in Zimbabwe from now until 26 June for the purpose of observing the Zimbabwe national parliamentary elections. The Members of Parliament come from Angola, Botswana, Lesotho, Malawi, Mauritius, Namibia, South Africa, Seychelles, Swaziland, Tanzania and Zambia.

The overall purpose of the delegation is to support the declared commitment of SADC countries to democratic processes when conducting elections. The SADC Parliamentary Forum delegations observed elections in Namibia and Mozambique at the end of 1999. The delegation is now in Zimbabwe to perform the same task. It will familiarise its members with local electoral conditions, the electoral processes and the political environment in which the elections are taking place.

The delegation plans to meet all stakeholders in the elections, namely the leaders and officials of political parties, government leaders and officials who are responsible for amongst others, conducting elections in the country, representatives of civil society and the media.

The SADC Parliamentary Forum delegation will visit all the provinces and observe the code of conduct of the campaign, the voting and the count.

The SADC Parliamentary Forum, as a regional organisation of Parliaments, seeks to advance the cause of democratisation, as stated in its mandate. It does not, however, seek to interfere in this or any other election process.

We recognise that ultimately it is the people of Zimbabwe who determine the legitimacy of the processes. Our role is a non-partisan one in which democratic experiences, which have been gained from the region, are used as a basis for our assessment. The SADC Parliamentary Forum will consult as widely as is possible.

This delegation of the SADC Parliamentarians includes a cross section of Members of Parliament drawn from both ruling parties and opposition parties. It also includes gender representation as required by the Constitution of the Forum which was adopted in 1996 as an SADC institution. The headquarters of the Forum is in Windhoek, Namibia.

Dr. Kasuka Mutukwa
Secretary General

Friday, 26 May 2000

PRELIMINARY PRESS STATEMENT

On the Voting Process by the SADC Parliamentary Forum Observation Delegation of Zimbabwe 2000 Parliamentary Elections

The SADC Parliamentary Forum Observer Mission has followed the electoral process in Zimbabwe for almost five weeks. The Team consisted of 19 Members of Parliaments from 11 Parliaments and 12 members of staff.

While we have observed various phases of the electoral process, this press release will concentrate on the two days of voting, because this is a critical phase in any election. The SADC Parliamentary Forum Election Observer Delegation wishes to congratulate the people of Zimbabwe for turning up in large numbers to cast their votes. A turnout of over 50% in any post-independence election is highly commendable. It is evidence of the commitment of Zimbabweans to participate in the running their affairs. We also view it as a sign of determination and commitment on the part of Zimbabwean voters to exercise their right to choose their Members of Parliament and the leadership of the country. The high participation of the Zimbabwean voters is also a positive sign of their commitment to multiparty democracy. We do, however, regret that a number of would-be voters were turned away from polling stations because, it was reported, their names were excluded from the voters' roll despite claims that they had been registered. As a region, we are satisfied when the people of Zimbabwe are satisfied.

We are equally pleased and relieved that, on the whole, voting has been orderly and peaceful throughout the country. To us in the Delegation, this is the atmosphere which we wish to see occurring in all SADC countries during times of elections.

We also appreciate the professional manner in which most of the election staff conducted themselves. The commitment of the domestic monitors as representatives of civil society, including the churches, was very evident as positive contributors to the electoral process. The commitment to democracy should be encouraged. The SADC Parliamentary Forum will present its full report covering the entire election process including the pre-election phase to be submitted to the Executive Committee and the Plenary of the SADC Parliamentary Forum.

SIGNED: Hon Nora Schimming-Chase, MP, Chairperson
Hon Moises Kamabaya, MP

Harare, Zimbabwe
June 2000

STATEMENT OF THE SADC PARLIAMENTARY FORUM OBSERVER DELEGATION 8 JUNE 2000

The SADC Parliamentary Forum is a regional organisation which brings together 12 parliaments of the southern African region which represents 1,800 MPs. Its representatives were in Zimbabwe from 26 May to 27 June 2000.

Among the Forum's critical issues of concern in the 21st century is the support of the growing democracy in the region. The Forum is motivated by the fact that for many years, the peoples of the region have fought and struggled for democracy and human rights, against forces, institutions and socio-economic and political bodies which limited or completely deprived them of democracy, human rights and civil liberties.

The Forum believes that in order to facilitate and promote democracy and democratic processes, citizens should have the opportunity to choose the type of government they want. It begins with their political voice finding expression in the affairs of the state. For that reason, and in keeping with the SADC Treaty, the Forum has committed itself to observe elections in member countries. The Forum successfully observed elections in Mozambique and Namibia in 1999.

As members of a single community, the Forum considers it crucial that countries in the region should have a keen interest in the affairs of neighbouring countries. This is important as the events in adjacent countries, positive or negative, tend to have a spillover effect in the SADC region. This scenario is not limited to politics only but pertains to health issues as well as issues such as the refugee status which also comes into play.

The countries of the region, through the Southern African Development Community, have consistently and persistently committed themselves to democracy. The SADC Parliamentary Forum Constitution also makes a commitment to the promotion of democracy. The concept of election observation is premised on the understanding that, it is a learning process for the observers (Members of Parliament) and the country experiencing an election.

Through the lessons learnt it is hoped that positive experiences, processes and practices may be strengthened throughout the region and pitfalls avoided. Hopefully, the result will be the emergence and promotion of positive democratic practices in the SADC region.

The Forum believes that its observers have a stake in the electoral processes in SADC countries, as their outcome will invariably affect other practices, security and stability in the region. The Forum therefore believes that it has an important obligation to empower the region with the capacity to deal with issues pertaining to electoral systems and processes - so ensuring that standards are not imposed by outsiders.

In its observation programme, which is one of the major activities, the others being regional cooperation and inter-parliamentary cooperation, the Forum employs the expertise of Members of Parliament from countries in the region. Not so much because Members of Parliament are the only ones who can observe elections in the region, but the Forum believes that MPs are more familiar with the process and have the capacity and knowledge to interpret electoral events but more importantly because MPs are themselves products of elections.

The mission was carried out in two phases.

The first phase was from 26 May to 21 June 2000. The pre-election phase was observed by Members of Parliament and the Secretary General of the Forum, with his supporting staff. The findings of the pre-election phases were referred to the government and electoral authorities with a view to resolving some issues that required attention as a way of improving the electoral process and the political atmosphere.

The second phase of the mission covered the period 21-27 June 2000.

As a regional organisation, the SADC Parliamentary Forum is mandated to contribute to the promotion of multiparty elections in which all parties participate freely.

CONTEXT OF ZIMBABWE ELECTIONS

The mission was guided by the following terms of reference, to:

- Analyse the legal framework and administrative preparations which were underway for the elections;
- Assess the political environment for the elections, especially the campaign and whether mechanisms are in place to promote confidence in the process;
- Identify potential problems and make specific recommendations as to how they might be addressed;

Share, where necessary, the findings and recommendations with government, political, civic and media representatives as well as the public;

Observe the voting process, the counting of votes and other processes to determine the levels of transparency; and

To assess the system of declaring election results.

In its observation, the SADC Parliamentary Forum Observer Mission was guided by relevant statutory instruments governing elections. These included but were not limited to, the Zimbabwe Constitution 179 (as amended), the Electoral Act and Electoral (Amendment) Regulations, 2000, No. 7 (Statutory Instrument 161 A of 2000). In addition, the mission was guided by documented practices in other elections, a handbook of electoral laws and Regulations by the Electoral Institute of Southern Africa, and a book entitled *The Conduct of General Election in Zimbabwe March 1995* by the Electoral Supervisory Commission, among others.

The observer mission received oral and written evidence from the political parties, church groups, victims of violence, the electoral authorities and NGOs.

The pre-election phase involved the dispatch of teams into the field. After completing their fieldwork and briefings the various teams presented their reports. The pre-election observer team came up with the following findings:

POLITICAL ATMOSPHERE

Election Atmosphere/Environment

The observer mission found that the atmosphere of peace and tranquility, which characterised the two days of voting, was preceded by the spectre of pre-election violence. The violence which characterised the pre-election period imposed limitations on the ability of political parties to campaign freely.

The mission also observed that the incidence of pre-election violence was not denied by any of the country's political parties. Some violent incidents were also confirmed by the police in their periodic media reports.

The SADC Parliamentary Forum Mission deplores the violence that characterised the pre-election phase and it reaffirms the importance of creating a culture of tolerance in pursuit of peaceful elections. There should be no room for violence in the political processes in the SADC region.

The SADC Parliamentary Forum calls upon all the political leaders in the region to ensure that violence does not occur before, during and after elections.

The Media

The Forum learnt that both the public and private media failed to play a significant role in educating voters. The problem was compounded by polarisation of the media, which functioned as conduits for specific political interests. There were also restrictions on political advertising and a lack of transparency.

In view of the fact that there was no clear-cut policy on access to the public media during the election, the SADC Parliamentary Forum recommends that unambiguous policies on access to the media during elections should be set.

Nomination Process

The Observer Team deployed itself in groups to witness the nominations on Saturday, 3 June 2000. They were able to observe nominations at Harare, Bindura, Marondera and Chinhoyi.

The findings of the Observer Team were:

Generally, the filing of nominations by candidates was fair and peaceful in the areas which the various sub-groups visited. Only a few complaints were raised;

That all 120 constituencies were contested, a positive indicator of participation, especially in comparison with 1995 when 50 candidates were declared unopposed.

Voting Process

The mission observed that voter turnout in the Zimbabwe elections 2000 was the highest since 1980.

The smooth and peaceful manner in which the voting took place and the fact that there were no serious complaints or concerns raised regarding the security and secrecy of the ballot, as well as the movement of ballot boxes, is evidence that the process was transparent.

Counting Process

Although the counting process was transparent, the verification was slow and tedious. It was significant that all the political parties and observers were given access to counting centres and were present during all stages of verification and counting. Polling officials conducted themselves professionally and accommodated domestic monitors and regional and international observers.

The Zimbabwe 2000 Elections raised a clear need for better communication between the election authorities and the potential voters regarding the electoral systems and processes. The major void was that a number of registered peoples' names did not appear on the voters' roll. The result was that some bona-fide voters were unable to vote.

Secrecy Of The Ballot

There were widespread claims of misinformation regarding the secrecy of the ballot. For example, some people were told that a "super computer" could determine how people had voted. However, massive civic and voter education by election authorities, church organisations and NGOs reassured the voters.

Electoral Bodies

There is an apparent duplication of the responsibilities between the office of the Registrar General, the Election Supervisory Commission and the Electoral Directorate. The Zimbabwe electoral system is still run as a government department. There is a need to establish an independent electoral commission, which would be seen to be impartial by all stakeholders and so improve confidence in the electoral process.

Conclusion

The outcome of the elections is a reflection of the will of the people of Zimbabwe who turned out in large numbers to vote and elect leaders of their choice. By and large all the stakeholders have accepted the results of the election. We express the hope that the peace which has prevailed in the past week will continue for the benefit of the people of the Zimbabwe and of the SADC region as whole.

SIGNED: On behalf of the SADC Parliamentary Forum Observation Mission
Hon Nora Schimming-Chase, MP, Chairperson
Hon Francis KK Kamanga, MP, Vice Chairperson

Harare, Zimbabwe
Wednesday, 27 June 2000

SECTION ONE



THE LEGAL FRAMEWORK OF ZIMBABWE ELECTIONS

THE CONSTITUTION

The Independence Constitution signed at the Lancaster House Conference of 1979, together with more than 15 amendments, determines Zimbabwe's governmental structure. This provides for an elected Executive President. The Executive President has the power to appoint a cabinet and dissolve Parliament.

Parliament consists of 120 members elected by universal adult suffrage and 10 chiefs elected by the Council of Chiefs, eight provincial governors (appointed by the President), and 12 Presidential appointments to make a total of 150 MPs.

The constitutional amendments have been mainly related to modifying or removing some of the Lancaster provisions on white privilege and to reverse interpretations placed on some of its provisions by the Courts. Among the amendments were the abolition in 1987, of a separate white electoral roll and 20 parliamentary seats reserved for whites.

In addition, an Executive Presidency was introduced with a provision for two Vice-Presidents following the unity accords, and in 1990, Parliament became unicameral, abolishing the Senate. Amendments to the constitution are subject to parliamentary approval.

Presidency

The President is head of state and government and commander-in-chief of the Defence Forces. Constitutional qualifications are Zimbabwean citizenship by birth or descent, aged 40 or above and resident in Zimbabwe.

The President is elected for a six-year term by voters registered on the common roll and may be re-elected for an unspecified number of further terms in office.

Vice-Presidency

The amended Constitution provides for two Vice-Presidents at a time, appointed by the President. Their functions, amongst others, are to assist the President in discharging his executive responsibilities. They can be removed by the President, on resignation or death.

Legislature

Legislative authority is vested in the President and Parliament. Parliament elects a Speaker and Deputy Speaker to maintain its procedures and rules. The function of the Legislature is to make laws for peace, order and good governance of Zimbabwe. The power to make laws is exercised by bills passed in Parliament and assented to by the President.

Subsequent Elections

Zanu PF won the 1990 general elections, winning 116 of the 119 contested seats. Five former ZAPU members were appointed to ministerial positions with Nkomo being made a senior minister in the president's office and later a Vice-President of the country.

In the 1995 elections, ZANU PF won 117 of the 120 Parliamentary seats, Sithole's ZANU Ndonga Party won two and an independent candidate scraped through with one. In the presidential elections Mugabe polled 1.4 million votes against Muzorewa's 72 000 and Sithole's 36 960.

Recent Developments

After engaging in a consultative process of writing a new constitution to replace the pre-independence Lancaster House document, Zimbabweans voted against the proposed draft in the first post-independence constitutional referendum.

Of the 1.3 million people who participated in the referendum, approximately 20% of eligible voters, 54% voted against the draft document while 46% supported it. The government accepted the results of the referendum and said business would continue to be conducted under the Lancaster House Constitution as amended, until such time that the country managed to produce an acceptable, homegrown constitutional framework.

The focal point of the draft Constitution was the land issue. However, issues of the Executive Presidency, Presidential terms structures of Parliament and the Electoral System also took centre stage during the process of gathering views from people. The National Constitutional Assembly (NCA), a loose coalition of civil society organisations and opposition parties formed in 1997, and the Movement for Democratic Change (MDC) had been calling for a titular Presidency and an Executive Prime Minister.

They maintained that, contrary to wishes for a drastic reduction of Presidential powers, the Commission had re-instituted a powerful Executive Presidency, a Prime Minister and "toothless Commissions". A fresh round of consultations over a new Constitution is anticipated after the June 2000 parliamentary elections. Recently, the formation of the MDC party led by former leaders of the Zimbabwe Congress of Trade Unions (ZCTU) has mobilised to challenge ZANU PF.

ELECTORAL LAWS SYSTEM AND REGULATIONS OF ZIMBABWE

Frequency Of Elections

Presidential Elections

The President is elected separately by all voters on the common roll within 90 days of the expiry of the 6-year presidential term of office, or in the event of the presidency becoming vacant as a consequence of death, resignation or removal. During this 90-day period, the previously elected President remains in office. The President can be removed from office by a two-thirds vote of Members of Parliament after recommendation by one-third of the Members of Parliament. Grounds for removal include willful violation of the Constitution, incapability, or gross misconduct (CZ, 28 and 29).

Parliamentary Elections

General elections must be held within four months of the dissolution of Parliament. Parliaments should normally have a five-year term, though this can be extended during times of war or during a declared state of public emergency. Parliamentary terms can be shortened through Presidential dissolution (CZ, 58 and 63) and elections must then follow within four months.

Electoral Administration

Delimitation Commission

A Delimitation Commission is appointed and convened by the President, normally for a five-year period (though the President can appoint and convene the Commission at shorter intervals). It must be chaired by the Chief Justice or a member of the Supreme Court or High Court appointed after consultation between the President and the Chief Justice. Three other members are appointed after similar consultations; they should not be members of Parliament (CZ, 59.1). If members of the Commission are unable to continue their duties replacements must be appointed through a similar consultative procedure (CZ, 59.2).

The Commission should make its decisions through a majority vote with the Chairman using a casting vote when the Commission is equally divided (CZ, 59.3).

The Commission is responsible for the division of Zimbabwe's territory into 120 common roll constituencies. These constituencies should have "as nearly as may be equal" numbers of voters in each. The Commission can depart from this principle by 20% more or less than the average number of registered voters on the common roll in determining constituencies which are viable with regard to topography, communications, voter distribution, and communities of interest between voters on the roll. On completing this division the Commission submits a report to the President, listing, naming, describing the boundaries, and mapping the proposed constituencies. The President can refer its proposals back to the commission before proclaiming them in the Government Gazette (CZ, 60). The latest delimitation report was issued at the end of May 2000 after only one month of work.

Electoral Supervisory Commission

The Electoral Supervisory Commission is constituted by a Chairperson and two other members appointed by the President, after consultation with the Judicial Service Commission, and two other members appointed by the President, after consultation with the Speaker. Civil servants and parliamentarians may not belong to the Commission (CZ, 61.1.2).

Commissioners hold office for periods decided at the time of their appointment; these terms should not exceed five years (EA, 7.1). Members of the Commission may be re-appointed (EA, 7.2). Commission members must be citizens of Zimbabwe, they must not be un-rehabilitated bankrupts, and they must not have been convicted of an offence bearing a mandatory prison sentence within the previous five years (EA, 8). Members can be removed for failing to comply with any conditions of service agreed at the time of appointment (EA, 10), by requesting permission of the Minister of Justice, Legal and Parliamentary Affairs (EA, 11). Commission members may be paid and receive allowances for expenses at levels decided by the Minister (EA 13).

The Electoral Supervisory Commission supervises voter registration and Parliamentary Elections and advises the President on any draft electoral legislation (CZ, 61.3). It makes its decisions through a majority vote (CZ, 61.8). The Commission must be provided with reports on registration and other electoral matters by the Registrar-General (see below). The Registrar General may attend meetings of the Commission but may not vote at them (EA, 14).

The Commission, in exercising its responsibilities, shall not be subject to "the direction or control of any person or authority" (CZ, 61.6).

Election Directorate

The Election Directorate is responsible for ensuring that the elections are conducted "efficiently, properly, freely and fairly." The directorate consists of a Chairperson appointed by the President, the Registrar-General (see below), and between two and ten other members appointed by the Minister of Justice, Legal and Parliamentary Affairs. Members of the directorate hold office for periods which are determined at the time for their appointment (EA.4).

Office Of The Registrar-General

The Registrar-General is a public servant under the authority of the directorate charged with overall administrative responsibility for the conduct of elections; the Registrar-General directs the work of constituency registrars, presiding officers, polling officers, counting officers and other electoral officials (EA, 15). In each constituency, members of the public service are appointed as the Constituency Registrar, the Deputy Constituency Registrar, and one or more assistant Constituency Registrars (EA, 16). Their main task is to maintain the Voters' Roll (EA, 17). They must make the constituency rolls available for public inspection in their offices, they may authorise printed copies of the roll, and they are responsible for the registration of voters on the roll (EA, 18).

They are empowered to demand information from people applying for registration, and from any person, to establish whether the applicant is qualified to register (EA, 19).

Voter Registration

Qualifications

Voters must be citizens or permanent residents, be aged 18 or over, not be mentally disabled, not have served a prison sentence of more than six months, and must not have been disqualified from voting as a consequence of an offence against the Electoral Act (CZ, Schedule 3,3). Normally, to register in a particular constituency, an applicant (or "claimant") must reside in that constituency at the time of applying (EA, 20.1). The Registrar-General can allow voters to register in constituencies in which they do not live if "for reasons related to ... place of origin, political affiliations, or otherwise" such registration is perceived as appropriate (EA 20.1). If a voter ceases to live in a particular constituency for a continuous period of twelve months he will be removed from the roll (EA, 20.3).

Application Process

Applicants for inclusion on a constituency voters' roll must complete a prescribed claim form. On completion these forms are submitted to the Constituency Registrar or in the case of non-resident applicants, to the Registrar-General. Non-resident applicants must supply an address within the constituency in which they are deemed to be resident for delimitation purposes. On receiving these forms, if the Constituency Registrar is satisfied, then their names and other personal details should be added to the voters' roll. If the Constituency Registrar believes that an applicant is entitled to registration elsewhere he shall direct the claim form to the appropriate constituency and inform the applicant. The Registrar-General may direct Constituency Registrars to register on any people on their rolls whom the Registrar-General "is satisfied are qualified to be registered" (EA, 21).

Registration Transfer

Registered voters may transfer their registration to another constituency by completing a prescribed form and submitting it with their voters' registration card to the Constituency Registrar in the constituency in which they are registered.

Alternatively, if they are applying to join a constituency in which they are not resident, to the Registrar-General. Upon receiving such an application, the constituency registrar removes the applicants name from the constituency roll and forward their name and details to the Constituency Registrar for the constituency to which the voter has applied for transfer. The Constituency Registrar in the new constituency, on receiving these details and ensuring that the application is in order, registers the applicant and informs them; in the case of non-residents these procedures are undertaken through the Registrar-General (EA, 22).

Voter Registration Cards

Voters are issued voter registration cards, except in the case of those voters registered through the provisions of the National Registration Act; they receive a notice or an identity document prescribed by section 7.1 of this Act (EA,23).

New Registrations

The President may proclaim an entirely new registration of voters, setting the date on which such a registration begins and a date, at least six months later, on which it should end. Voters already on the constituency roll submit a prescribed form to the constituency register for re-inclusion on the roll. The Vice-President, cabinet ministers, deputy ministers, provincial Governors, public servants engaged in their duties outside Zimbabwe, employees of international organisations of which Zimbabwe is a member working outside Zimbabwe, employees of Zimbabwean employers working outside the country, Zimbabwean students at foreign universities, people living outside Zimbabwe as a consequence of ill health, and the spouses of all such people can have their names included on the new rolls in the constituencies in which they were last resident or registered (EA, 24 and 32, 1-2).

Objections to Registration

If a Constituency Registrar believes that an applicant or a registered voter is not entitled or qualified to be registered on the constituency roll he must send the person concerned a written notice of objection to which an appeal form is appended. These notices cannot be sent during proclaimed election periods. The notices must contain reasons for the objection, a deadline for an appeal of not less than seven days.

The appeal must be submitted accompanied by a \$50 deposit; if no appeal is submitted than the application for registration is rejected or the voter is removed from the roll. If an appeal is submitted, a hearing is held before a magistrate in the province in which the constituency is located at least 30 days after the receipt of the appeal. The Constituency Registrar must notify the appellant of the date of the appeal (EA,25).

Voters may object to the retention of any name on their constituency roll through submitting in duplicate a written objection and a deposit which should be heard by a magistrate 30 days afterwards; the person to whom the objection relates must be notified with a copy of the objection and a date for the hearing; the constituency registrar may not act upon such objections within 30 days of an election (EA,26).

Hearing for Objections

The objector or his/her appointed representative must appear at a hearing. The person to whom the objection relates or their appointed representative must appear or they must submit a statement witnessed by a voter in the same constituency setting out the reason for their inclusion on the roll (EA,27). If the magistrate cannot decide on the validity of the objection they must submit a statement of the facts to the Registrar of the High Court for consideration by a judge at a hearing which can be attended by all interested parties. The judge's decision is final (EA,28).

Sections 30, 31, and 32 of the Electoral Act refer to the procedures for removal from the roll voters' names which are registered on several constituency rolls simultaneously, the exclusion from the roll of dead voters' names, and the removal of absentee voters' names and those who have left Zimbabwe to live permanently outside the country.

Registration Offences

Anyone who receives an application and fails to take the required actions can be fined up to \$500. False registration applications can be punished with fines of up to \$2000. Intimidation or deception which is directed at preventing people from registering can be punished with fines of up to \$4000 (EA,37).

SECTION TWO



PRE-ELECTION PHASE

Press Release II, SADC Parliamentary Forum Observer Delegation of the Zimbabwe Elections 2000

A full delegation of the SADC Parliamentary Forum comprising of 18 MPs from the SADC region including the Secretary General and a staff complement of ten (10) is now in Zimbabwe to observe the final days of the election campaign leading up to the voting, processing of ballot boxes right throughout the counting of the votes and the declaration of the results.

An advance party of ten Members of Parliament had been in the country since 29 May 2000. The observers travelled to many parts of the country including Harare, Marondera, Mutare, Chimanimani, Chipinge, Masvingo, Bulawayo, Gwanda, Hwange, Lupane, Kwekwe, Gweru, Kadoma, Chegutu, Chinhoyi, Karoi, Kariba and Bindura where they held meetings with government officials, political leaders from both the ruling party and the opposition parties, civic leaders as well as ordinary citizens who are all voters. Earlier the observer team witnessed the nomination of candidates on 3 June 2000 in four centres in the country.

The Observers shall be deployed in ten centres of Zimbabwe covering both rural and urban areas. They are expected to be deployed in the field from Tuesday, 20 June to 26 June 2000.

The SADC Parliamentary Forum as a regional organisation, brings a new element of observation to the area. Until recently, most of the elections in Africa were observed by international observers. Much as this provides major international perspectives, the SADC region has also realised that it must play a firm role in shaping its own destiny. The role of the Forum therefore also complements that of domestic and international observers.

As MPs from neighboring countries, our interest in any election within SADC goes beyond research as we have to live with the outcomes of elections. We are committed to promoting stability, peace and democratisation; elections are central to this process. The Forum also expects to utilise the knowledge gained from

election observation to benchmark the most appropriate electoral systems and processes for the SADC region.

As legislators, MPs can play a major role in developing laws that support democratic elections and the evolution of common practices and standards. MPs who have a first hand knowledge of elections in the southern African region will be more effective at reviewing electoral systems. MPs are themselves products of elections. With their experience in campaigning, they bring a new approach to election observation which can be complemented by electoral commissions as managers of elections.

The Plenary Assembly of the SADC Parliamentary Forum decided in 1999 to involve the Forum in observing elections in all SADC countries. In 1999 teams of 11 MPs were fielded to the Namibian and Mozambican elections. In Zimbabwe we have fielded 18 MPs for a longer period of observation.

After the Zimbabwe Elections, the Forum expects to send an observer mission to Tanzania whose elections are constitutionally pre-scheduled for October 2000. Thereafter missions will be dispatched to Mauritius, Lesotho and Zambia, which countries have scheduled elections between now and 2001.

Dr. Kasuka Mutukwa
16 June 2000

DELEGATION OF THE SADC PARLIAMENTARY FORUM OF THE ZIMBABWE ELECTIONS 2000 18 - 27 JUNE 2000

TERMS OF REFERENCE

This serves as a Terms of Reference for the delegation to assess both the pre-voting conditions in advance of the 2000 Zimbabwe Parliamentary Elections and the actual voting and counting processes. While visiting Zimbabwe, the delegation will observe preparations for the elections, campaigning by political parties, and the voting and counting, which is scheduled for 24 - 26 June. The delegation will acquaint itself on both the electoral and the constitutional laws and regulations of Zimbabwe, as well as the standards of practice in the region and internationally.

The SADC Parliamentary Forum organised the delegation in response to encouragement by government and leaders of the major political parties and civil society, and indeed in keeping with the decision of the Forum in 1999 to observe all elections in the SADC region.

In observing the pre-election period, the delegation does not presume to supervise or to interfere in the affairs of Zimbabwe. The delegation's presence demonstrates the region's interest in and support for free and fair elections. In addition, the members of the delegation will have an opportunity to learn more about the development of democracy in Zimbabwe and its relation to the political transformation of the region.

The delegation's observations and other credible sources of information will form the basis of its report. Therefore the delegation will attempt to document its observations and in all instances distinguish objective from subjective opinion. At the end of the mission, the Forum looks forward to receiving an accurate and impartial report of findings and appropriate recommendations.

Specifically, the delegation will:

- Review the legal framework and administrative preparations underway for the elections;
- Assess the political environment particularly during campaigning, noting whether mechanisms are in place to promote confidence in the process;
- Identify potential problems and make specific recommendations as to how they might be addressed;
- Share findings and recommendations with government, political, civic and media representatives as well as the public;
- Observe the voting process, the counting of votes and other processes in between to determine the levels of transparency; and
- Assess the system of declaring the results of the elections.

In the course of the assessing the campaign, the voting and the counting, the delegation will meet the stakeholders, representatives of political parties, members of electoral bodies, government officials, media and general public and other observers.

In the final analysis, the Forum is obliged to come up with an independent report based on its own findings and conclusions.

16 JUNE 2000

Pre-Election Briefing

As the attached time schedule indicates, members of the Mission completed an intensive orientation programme. This was designed to give them an in-depth understanding not only of the electoral process, but also of the political context and atmosphere in which the elections were conducted in Zimbabwe. Meetings were therefore organized with Electoral Officials (notably the Registrar-General and the Delimitation Commission Chairperson); leaders of the political parties that were contesting the elections; government leaders; representatives of the Civil Society (notably the Election Network of NGOs and Church leaders) and as media representatives. The delegation members also held consultations with other regional and international observers who were in Zimbabwe as election observers. It should be noted that the attempt by the United Nations Electoral Assistance Group to coordinate all observers was rejected by the government of Zimbabwe. Other problems occurred, relating to which NGOs could be accredited. This situation arose towards the end of the pre-election period. The Forum, as a regional institution of SADC did not encounter any difficulties. However, the Electoral Commissioners Forum of SADC, did encounter initial difficulties as to whether it could be accredited separately from the SADC Parliamentary Forum.

Members of the delegation were provided with a comprehensive "Briefing book" which contained country and constituency maps, statistics on Zimbabwe elections, various reports on elections and even two books on the Zimbabwe elections of 1985 and 1995 authored by local academics. In the context of Zimbabwe, it should be stressed delegation members were also given police reports on violence in the pre-election period.

The police provided daily reports on Zimbabwe Television after the main news bulletin at 7 am; they were transcribed for dissemination. The manifestos of all the contesting political parties were also distributed to the delegation (see Annex 2).

Meetings with Electoral Officials

The delegation spent a considerable part of an afternoon being briefed by the Registrar General and his staff on 30 May 2000. He briefed the delegation on the election logistics and preparations. The briefing included a visit to areas where the election materials were processed, including the voters' registers, which we were told were in the final stages of production.

The Registrar General explained Zimbabwe's new identity card which can be used for all purposes of identification including voting. Some countries in SADC still require individuals to carry several documents, even for voting purposes.

Members of the delegation engaged the Registrar General in a lively question and answer session during which they sought information about the transparency and efficacy of the electoral process. It was agreed that further clarification would be sought on specific issues after the members of the pre-election delegation completed their tours of the provinces. There they would hold meetings with provincial registrars who could respond to specific questions concerning the areas under their jurisdiction. Copies of the voters' rolls were distributed for verification while the Forum delegation was in Zimbabwe.

Following the publication of the centres where the voters' rolls could be inspected, the high production costs of rolls, plus the late announcement of polling stations, raised some lively debate in the country. The Registrar General had to assure stakeholders that all would be in place by voting date.

The meeting with the Acting Chairperson of the Zimbabwe Electoral Supervisory Commission produced little information of value; members were informed that the body was virtually non-operational. It had a limited budget, no transport and the Chairperson pointed out that their mandate was uncertain since the power to run elections was de facto with the office of the Registrar General.

It is significant that this conflict blew open when the commission instituted legal proceedings to claim its constitutional powers of accrediting monitors and observers, which they lost on 20 June - 4 days before voting began. A new Chairperson was appointed on the eve of the elections. The new regulations issued on 5 June 2000, in statutory instrument 161 of 2000, gazetted as electoral amendments, effectively removed the powers from the ESC to the office of the Registrar General and the Elections Directorate. Within this amendment also came the Code of Conduct for election agents, monitors and observers.

In the meeting with the long serving Chairperson of the Delimitation Commission, Justice Sandura, the MPs were briefed on the procedures and formulae, which Zimbabwe had followed in dividing constituencies. The Chairman pointed out that he based his information on the data provided by the office of the Registrar General, which set the number of registered voters at 5 049 815. He briefed the delegation on provincial constituency statistics. Overall, the loss and gain differences were marginal compared to 1994 when a similar exercise was done.

It was, however, significant that some urban areas had registered losses in the numbers of registered voters, perhaps due to apathy. A table detailing the number of registered voters is shown as an Annex 3 to this report.

The delegation also benefited from a discussion with a former Chairperson of the ESC (up to 1998), Mr. David Zamchiya who explained the process to the MPs. The experienced lawyer gave a vivid historical perspective of the electoral system in Zimbabwe. Unique to the Zimbabwe Constitution, is that there is no requirement for the registration of political parties.

It is worth mentioning also that the Chairman of the Delimitation Commission informed the delegation that his team had to work around the clock to produce the Report of the Delimitation Commission in just under a month. This was a record considering that a few months earlier, the Commission had publicly announced that they needed at least three months to prepare such a complex document. In fact, the Chairman had further indicated that for such a process to be thorough, it would require up to two years to produce, allowing for field visits and other provisions stipulated in the report. We were also informed that the printing of the delimitation report with constituency maps was considerably behind schedule. Copies of the report and maps were available sometime after our meeting.

METHOD OF WORK

The SADC Parliamentary Forum fielded an Election Observer Delegation to the Zimbabwe 2000 Parliamentary Elections from 27 May to 28 June 2000. The Mission was divided into two phases. The first phase which was the pre-voting or pre-election period lasting from 27 May to 18 June 2000. The second was the election observation phase.

The Members of Parliament who constituted the pre-election delegation were the following:

1. Hon Helder Albuquerque, MP, Angola
2. Hon Slumber Tsogwane, MP, Botswana
3. Hon LT Sekamane, MP, Lesotho
4. Hon MP Mohasoane, MP, Lesotho
5. Hon J Chikwenga, MP, Malawi
6. Hon Nora Schimming-Chase, MP, Namibia
7. Hon George Bibi, MP, Seychelles

8. Hon Dr S Mzimela, MP, South Africa
9. Hon S Ntlabati, MP, South Africa
10. Hon Frank S Dlamini, MP, Swaziland
11. Hon Athuman Janguo, MP, Tanzania
12. Hon KK Kamanga, MP, Zambia

The Members of Parliament who constituted the Election Observation Team were as follows:

1. Hon Helder Albuquerque, MP, Angola
2. Hon Moises Kamabaya, MP, Angola
3. Hon Slumber Tsogwane, MP, Botswana
4. Hon O.O. Maswabi, MP, Botswana
5. Hon LT Sekamane, MP, Lesotho
6. Hon MP Mohasoane, MP, Lesotho
7. Hon J Chikwenga, MP, Malawi
8. Hon LC Simango, MP, Mozambique
9. Hon RB Maguni, MP, Mozambique
10. Hon Nora Schimming-Chase, MP, Namibia
11. Hon Kaire Mbuende, MP, Namibia
12. Hon George Bibi, MP, Seychelles
13. Hon S Ntlabati, MP, South Africa
14. Hon Frank S Dlamini, Swaziland
15. Hon Athuman Janguo, Tanzania
16. Hon KK Kamanga, MP, Tanzania
17. Hon CTA Banda, MP, Zambia

As Mission Coordinator, the Secretary General of the SADC Parliamentary Forum, Dr Kasuka Mutukwa, stayed in Zimbabwe for the duration of the observation exercise. The core staff of the Forum was augmented by personnel seconded from the Parliaments of: Angola, Botswana, Namibia, Tanzania, South Africa and Zambia. The Parliament of Zimbabwe seconded five staff members who assisted the pre-election mission. One full time senior NDI staff member assisted with the logistics.

The Forum's decision to observe the Zimbabwean elections is tied to the organisation's mandate. The Parliamentary Forum Plenary Assembly is an autonomous institution of SADC with the collective regional mandate of promoting the principles of democracy, human rights, security and stability; and to encourage good governance, transparency and accountability in the region.

These principles are enshrined both in the SADC Treaty (1992) and in the Constitution of the SADC Parliamentary Forum adopted in 1996. The Forum has since 1998 observed elections in South Africa, Namibia and Mozambique.

During meetings held at Midgard, Namibia in December 1999, it was agreed that the Forum should increase the length and depth of its observation missions to cover the pre-election period, as a means of improving its familiarization processes in the SADC region. Zimbabwe provided the first opportunity to test the decision.

At an interpersonal level the Forum's delegates were warmly welcomed by all election stakeholders, from the Head of State, President Mugabe, to ordinary citizens. Clearly the people of Zimbabwe believed that it was time for the electoral institutions of the region to contribute to the process of democratisation, without which only the views of institutions from outside Africa will be heard.

When the new rules of accreditation came into force two weeks after the Forum delegation had been in the country, the Forum delegation were accredited promptly.

ORIENTATION AND DEPLOYMENTS

Throughout the week of May 28 to June 2, the delegation conducted consultations and meetings with the major stakeholders in the electoral process: government officials, electoral authorities, political parties, civil society and other observer missions (see Annex 1 - schedule of activities for details).

The delegation's method of observation was a participatory and an open-minded approach to all issues. Not only did the delegation benefit from professionals on individual issues, but the members held long meetings with the leaders of the political parties especially ZANU PF and the Movement for Democratic Change (MDC) on more than one occasion. Several such meetings were also held with the representatives of the political parties in the provinces and as well as at constituency and local levels, as shown in the detailed deployment schedules.

We appreciated the cooperation of stakeholders and more importantly the confidence which they placed in the Forum as their own regional institution assisting Zimbabwe with its elections. The orientation programme covered the following:

Comparative Analysis of electoral systems in the SADC region

Discussions with the Registrar General

Discussions with Justice Sandura, Chairman, Delimitation Commission

Meeting with ZANU PF

Meeting with MDC

Meeting with Civil Society

Nomination of Candidates

Deployment of Pre-election team

Report of the Pre-election delegation

Reports from visits to the Provinces

MAJOR ISSUES PERTAINING TO ELECTORAL PROCESSES IN SADC COUNTRIES

These notes were prepared for the SADC Parliamentary Forum Election Observer Mission ahead of the 2000 Zimbabwe parliamentary election. The Speaker was requested to introduce the MPs to the major issues pertaining to electoral processes in the SADC region, with an emphasis on the Zimbabwe context.

The Speaker covered the following issues:

- 1) Electoral systems
- 2) Models of Electoral Management Bodies (EMBs) in SADC countries
- 3) Electoral environment in Zimbabwe
- 4) Delimitation of electoral boundaries
- 5) Voter registration
- 6) Nomination of candidates

1. ELECTORAL SYSTEMS

	PROPORTIONAL REPRESENTATION (PR)	FIRST-PAST-THE-POST (FPTP)
Countries	SA, Mozambique, Namibia Zimbabwe 1980-85	Botswana, Lesotho-98, Malawi, Tanzania Zimbabwe since 1985
Main Advantage	Better representation of women and minorities (nearly 30% of MPs in Mozambique and SA are women)	MPs are accountable to their respective Constituencies
Main Disadvantages	Representatives tend to be accountable to party structures rather than to the Electorate	Skewed representation of losers: Lesotho 98: LCD 60% of votes cast: 98% of seats in Parliament and opposition 40% of votes cast but 2% of seats Botswana: BDP 55% of votes cast: 82.5% of seats in Parliament and opposition 45% of votes cast but 17.5% of seats Under representation of Women and Minorities: Botswana, Zambia, Swaziland, Zimbabwe and Lesotho

2. MODELS OF AN ELECTORAL MANAGEMENT BODY

There are broadly two main models of Electoral Management Bodies (EMBs) in the SADC region. Most are known as Electoral Commissions

	EMBs composed of Party Representatives	EMBs without Party Representatives
Countries	Mozambique, Malawi	SA, Botswana, Namibia, Tanzania
Advantages	<ul style="list-style-type: none"> - Party representation - Legitimacy - Transparency 	<ul style="list-style-type: none"> - Independence - Impartiality - Objectivity - Harmony
Disadvantages	<ul style="list-style-type: none"> - Difficulty to reach Consensus - Loyalty to party i.e. Malawi, Mozambique 	Some members may be perceived as undeclared supporters of a party and jeopardize the integrity of the EMB i.e. Tanzania, Zambia

3. ELECTORAL ENVIRONMENT IN ZIMBABWE

ELECTORAL SYSTEM	PR in 1980, FPTP since 1985
PARLIAMENT	<p>The House of Assembly is composed of 150 MPs elected as follows:</p> <ul style="list-style-type: none"> - 120 elected on the basis of single member constituencies - 30 appointed by the President (20% of the total): 8 are provincial governors, 10 are customary chiefs and 12 others.
DELIMITATION OF CONSTITUENCIES	President appoints a DC every 5 years to delimit 120 constituencies

ELECTORAL SYSTEM	PR in 1980, FPTP since 1985
PARLIAMENT	<p>The House of Assembly is composed of 150 MPs elected as follows:</p> <ul style="list-style-type: none"> - 120 elected on the basis of single member constituencies - 30 appointed by the President (20% of the total): 8 are provincial governors, 10 are customary chiefs and 12 others.
DELIMITATION OF CONSTITUENCIES	President appoints a DC every 5 years to delimit 120 constituencies
VOTER REGISTRATION	Continuous updating of voters' roll. National ID and proof of residence required.
VOTER EDUCATION	Limited ESC program, NGOs
ELECTORAL CODE OF CONDUCT FOR POLITICAL PARTIES	Free political activity. Require police permission to hold rallies. Rules set out in Electoral Act
FUNDING OF POLITICAL PARTIES	<p>Public funding for political parties with a minimum of 15 seats in Parliament. In 1998 this threshold was lowered to 5% of votes cast in the election.</p> <p>No limits or regulation of private donations.</p>
ELECTION MONITORING	NGO monitoring since 1995, subject to their own code of conduct and ESC code of honour.
SECURITY	Police may provide security. Election agents may sleep at polling stations to ensure that ballot boxes are not tampered with.
CONFLICT RESOLUTION	<p>No specific conflict resolution structures.</p> <p>Election petitions to courts.</p>

ELECTORAL SYSTEM	PR in 1980, FPTP since 1985
COUNTING	Counting takes place under the supervision of the constituency registrar at central counting stations separate from Voting Stations.
ANNOUNCEMENT OF RESULTS	Constituency registrar announces results, transmits results to Registrar-General. Some confusion with ESC claiming this responsibility.

4. DEMARCATION OF ELECTORAL CONSTITUENCIES

This applies only to the countries using the FPTP electoral system for their parliamentary elections.

BOTSWANA: The delimitation of electoral constituencies is carried out every 10 years.

Problem: rural/urban constituencies in conflict of interests (i.e. in Francistown/Matsiloje and Lobatse/Barolong). This has been resolved since.

MALAWI: Delimitation carried out as need arises.

Problem: difficult application of the principle of equal population size (i.e. in 1994 The largest constituency had over 15,000 voters and the smallest around 3000 voters)

ZIMBABWE:

- President appoints a Delimitation Commission periodically. (i.e. every 5 years)
- Criteria used: equal population size per constituency; physical features, means of communication, geographical distribution of voters, community of interests, existing;
- 120 constituencies
- Determination of the average number of voters constituency

Total registered voters
 ==42,082 voters

 Total # of constituencies (120)

The number of registered voters per constituency should not be below 20% of the average (33,666 voters) or exceed 20% (50,498 voters).

Delimitation Commission appointed on 28 March 2000; it required three months to complete its work;

- Voter registration ended on 16 April (around 5.1 million registered voters)
- DC received voters' roll on 25 April
- Delimitation report presented to the President on 24 May (one month)

The Chairperson of the DC provided the cabinet with weekly progress reports. This was achieved via the Minister of Justice who visited the DC once a week. Opposition and the general public not consulted or involved.

The process could have been more transparent.

5. VOTER REGISTRATION

COUNTRY	PROBLEMS
SOUTH AFRICA	<ul style="list-style-type: none"> - Issue of bar-coded ID cards - Registration of prisoners - Registration of SA citizens living abroad - Voters' roll with no address In general, a successful exercise with over 80% of Registrants.

COUNTRY	PROBLEMS
BOTSWANA	<ul style="list-style-type: none"> - Expired ID cards had to be accepted for the registration - The President issued the writ of elections before supplementary voters' roll of 67,000 voters was certified by the IEC. To avoid a situation whereby these voters would be disenfranchised, the President declared a state of emergency and reconvened Parliament to address the situation <p>A well executed exercise but only 51 to 57% of potential voters registered. Voter apathy an issue.</p>
MALAWI	<ul style="list-style-type: none"> - Misleading national statistics on the size of the population - Shortage of registration materials - Underage persons registered
MOZAMBIQUE	<p>Good registration exercise with few problems. High percentage of registration</p>
LESOTHO	<p>The opposition claimed that the 1998 voters' roll was faulty.</p>
NAMIBIA	<p>No voters' roll in December 1999</p>

	CHARACTERISTICS AND PROBLEMS
ZIMBABWE	<ul style="list-style-type: none"> - Continuous registration. - National ID card and proof of residence required. - Dual citizenship and its enforcement. - Issue of 86,000 white Zimbabwean voters disenfranchised. - Names of deceased voters on the roll. - The final voters' roll still unavailable three weeks before elections. - Inspection from 1 to 13 June.

6. NOMINATION OF CANDIDATES

There had been a court case followed by a court decision to extend the nomination period.

Saturday 3 June 2000: Nomination day in Harare at the High Court for all candidates.

REPORT OF THE PRE-ELECTION DELEGATION ON ITS FINDINGS

1. POLITICAL ATMOSPHERE

The Political atmosphere in which elections are conducted is one of the key elements affecting the outcome of an election. Apart from the discussions held with various stakeholders, the observer team also assessed the atmosphere in which the pre-election campaign was conducted by all interested parties.

The findings of the observer team were as follows:

The political atmosphere was not conducive to an election in which stakeholders could participate freely because there was an obvious cloud of fear and tension in the areas the team visited. Stories of beatings and intimidation of citizens and rival party supporters in particular were recounted by all the players we met or heard from;

At the time of observation there was little evidence of an election campaign in process, in that campaign materials such as posters pamphlets and T-shirts were not in evidence in most of the venues places the team visited;

There were very few political rallies held throughout the country. Almost without exception media coverage gave publicity to the ruling ZANU-PF, rallies while there were very few reports of MDC allies; and

There were a number of specific pronouncements by government officials which were highly unfavourable to a competitive political atmosphere and were unfair to the opposition namely;

- A statement was made on ZBC by Minister Zvobgo, member of the Politburo of the ruling ZANU PF stating that "the very existence of the MDC is a provocation".

- The chairman of ZANU PF had informed the Forum delegation that "if we (the government) remove the war veterans from the farms, there will be no elections"; and

- An Editor of a publicly owned newspaper at Mutare informed the Forum team that all government "mouthpieces" had been banned from carrying advertisements from the opposition and cheques from the opposition amounting to \$19m had been refunded. The directive is reported to have been given by the Minister of Information.

We were unable to obtain direct information on the policy of the Government towards use of the public media in elections as senior officials of the Ministry did not come for meetings.

2. THE VOTERS' ROLL

The voters' roll is a document which is vital to the election process as it is a record of all people who are eligible to vote in an election. Before entering the field, the observer delegation met the Registrar-General at his office in Harare where the whole process of registering voters was explained to the delegation over an afternoon. During the period the team was in the field team from 4 to 8 June 2000, one of their tasks was to find out from stakeholders how the voters' roll was verified.

The findings of the observer team regarding the verification of the voters' roll in the field were as follows:

The process of verification was slow and unclear in event of omissions and validation requirements;

The ruling ZANU PF, the MDC and the other opposition parties expressed concern about voter eligibility as there were numerous errors and omissions in the registers. Examples of incorrect spelling of names, as well as some names of the deceased appearing on the voters' roll, were cited by the ruling ZANU PF and the opposition parties. These errors have to be corrected before the actual elections take place hopefully through the on-going verification system;

The non-issuance of receipts to people who had registered made it difficult for people whose names were omitted from the voters' roll to verify that they had indeed registered and hence deserved to be on the roll;

The voters' roll was distributed at centres within a radius of 7 - 9 km. The distances in some cases discouraged people from inspecting the voters' roll

hence the reported, low turn out of voters at the verification centres. Political parties interviewed by the observation team indicated that the voters' roll should also have also placed in all schools, especially in the rural areas which were not easily accessible;

There was misinformation as to whether the supplementary voters' roll would be used in the elections. In some cases people who had not previously registered were told that they could register during the verification period. This matter has to be validated;

Concerns were also raised by political players regarding how the constituency boundaries were demarcated by the Delimitation Commission. There were some complaints in Bulawayo and Hwange east where constituencies were lost; and

Even the commissioner responsible for delimitation acknowledged that the process was rushed to completion in a month as opposed to the estimated three months.

3. THE NOMINATION PROCESS

The observer delegation were earlier told by the Registrar-General that the nomination of candidates would occur centrally in Harare. We later learnt that the nominations would instead be carried out at provincial centers.

The observer team therefore quickly deployed itself into groups to observe the nominations on Saturday, 3 June 2000. The sub-groups of the team were able to observe nominations in Harare, Bindura, Marondera and Chinhoyi.

The findings of the observer team were:

Generally, the filling of the nomination by candidates was fair and peaceful in the areas visited by the various sub-groups. Only a few complaints were raised.

There was insufficient information on the voters' roll and the delimitation of constituencies. This was attributed to a lack of adequate civic voter education. Previously voter education had occurred.

4. SECRECY OF THE BALLOT

Ballot secrecy is a fundamental tenet of free and fair elections. Voters need to be assured that their vote is secret and that they cannot be intimidated or prosecuted for their election choice.

In the field, the observer delegation established that many people were fearful that the ballot would not be secret. This fear was due to various types of propaganda that were circulating. It was rumoured that cameras would be hidden in the polling booths, and that a "super computer" in Harare would reveal how people voted. As a result of this negative propaganda, some people were apprehensive about attending civic meetings.

5. CONDUCT OF THE POLITICAL PARTIES

The observer team held discussions with all the major stakeholders in Harare and the nine provinces. From the discussions, the observer team established that there was serious polarization and that the parties were antagonistic towards each other. There was also no code of conduct to guide the various political parties in the run-up to the elections.

The findings of the observer team were that:

There was intolerance among the various political parties, which were hostile to each other. This intolerance resulted in several violent skirmishes among the parties. However, there were some indications of tolerance in that political parties managed to hold peaceful public meetings in Chipinge in Manicaland: and

The level of intolerance was considerable among the key players. The message emanated from sections of the ruling party was that people who had not participated in the liberation struggle had no right to rule the country and were therefore enemies of the ruling party.

6. ACCESS BY SADC PARLIAMENTARY FORUM OBSERVERS TO VARIOUS AREAS

Before embarking on its mission the observer delegation met various officials and political leaders, as well as government leaders. Among the dignitaries the team met was the Speaker of the Parliament of Zimbabwe, Hon. C. Ndebele.

The team was satisfied that they had been allowed free access to all areas they visited and that information was made available to them, even in some rural areas. They did observe, however, that they were followed during some of their visits. On more than one occasion, special branch officials either identified themselves or, were identified by members of the public at meetings.

7. VOTER EDUCATION

There was a serious lack of voter education relating to the vote, new constituencies, candidates and policies. According to civic groups they experienced intimidation and also bias on the part of the media. NGOs reported that their civic education programmes were hampered by violence, especially in the rural areas. Reports of intimidation and violence against teachers compounded the situation. The delimitation commissioner also admitted that no voter education was conducted.

8. STRENGTHS OF THE ELECTORAL SYSTEM (TO BE VALIDATED IN THE FIELD)

The presence of observers contributed to reduced incidents of violence and tension;
The Registrar-General explained the electoral process on the media;
Some government officials, for instance, the police, exhibited professionalism and were cooperative;
The nomination process was peaceful;
The communication system was generally good; especially the road network;
The existence of the supplementary roll to accommodate additional voters;
A high level of participation. It was the first time that all 120 parliamentary seats were contested and none of the seats were unopposed; and
The on-going registration process.

9. WEAKNESSES (TO BE ASSESSED FURTHER IN THE FIELD)

The voters' roll contained serious omissions - lack of a code of conduct;
Lack of police control in some areas;
The electoral commission was not allowed to exercise its role;
Short verification period of the voters' roll;
Lack of voter education (on public media and NGOs);
Bias in the coverage of information by public electronic media towards the ruling party;
and
Lack of clarity on information and communication about delimitation and the voters' roll in the short time provided.

MEMBERS

Hon Nora Schimming-Chase (Namibia) Team Leader
Hon Francis K.K. Kamanga (Zambia) Deputy Team Leader
Hon Helder Albuquerque (Angola)
Hon James Chikwenga (Malawi)
Hon Dr S Mzimela (South Africa)
Hon Senorita Ntlatati (South Africa)
Hon Frank Sitasive Dlamini (Swaziland)
Hon Athuman Janguo (Tanzania)
Hon George Bibi (Seychelles)
Dr. Kasuka Mutukwa (Secretary General: SADC Parliamentary Forum)

Harare, Zimbabwe
Saturday, 10 June 2000

SECTION THREE



PHASE II: FINAL COMAIGN, VOTING, COUNTING AND DECLARATION OF RESULTS

WAY FORWARD

The SADC Parliamentary Forum delegation agreed on two approaches to handling the preliminary findings prior to the elections.

- The first approach was to offer advice. It was proposed that a small sub-team of the delegation should hold consultations with all interested parties (Government leaders, electoral officials and political party representatives as well as NGOs) to draw attention to the most urgent matters that required their attention.
- The delegation also resolved that its members would ascertain whether matters raised in the pre-election reports remained unresolved. Cognizant that the election process was fluid, the delegation determined to update its earlier findings.

MEETING BETWEEN THE ZANU PF RULING PARTY AND SADC PARLIAMENTARY FORUM

On 1 June 2000, the Forum delegation visited the ZANU PF headquarters for a meeting with the ZANU PF delegation headed by its Chairman, Mr. John Nkomo, Minister of Local Government. Also in attendance were Hon. E. Mnangagwa, ZANU PF Secretary for Finance and the Minister of Justice and Parliamentary Affairs, Hon. Cyril Ndebele.

In her introductory remarks, the Chairperson informed the Chairman of ZANU PF and other party officials that the focus of the meeting was to exchange ideas about what should occur on the ground to enhance the election process and to determine the concerns of the ruling party three weeks before the elections.

The Chairman of ZANU PF warmly welcomed the SADC Parliamentary Forum Election Observation delegation on behalf of his party and the government. He informed the delegation that the main concern of the party was to manage the elections successfully and to ensure that they were free and fair. However, he

expressed concern about the negative press coverage of election campaigns, particularly in connection to violence and intimidation. He stated that the country had experienced significant tension, notably, after the rejection of the draft constitution. He added that the situation was, however, under control.

The Forum delegation posed a number of questions to the Chairman which covered:

"No go areas" - In response to a question on the impact of the "no go areas" on the elections, the Chairman of ZANU PF emphasized that there were no "no go areas". He, however, conceded that there was tension in some areas, a situation that was exacerbated by the foreign media. But the delegation was told the law enforcement agencies were taking the necessary steps to control the situation. He further stated that the war veterans who occupied farms were under strict orders to behave lawfully. In his opinion the campaigns were proceeding smoothly and any election related violence was promoted by the British.

The Political Climate - With regard to the political climate of the elections and its impact on their free and fair outcome, the Chairman informed the delegation that pre-election activities were characterized by enthusiasm countrywide. The situation was generally healthy for all parties. He added that the situation was a wake up call for the ZANU-PF and the aim of all parties was to efficiently mobilize voters in order to win the elections.

Funding Formula - On the formula used by the government to fund political parties, it said that, in 1992, the Constitution provided for funding of any party which attained 15% out of the 120 Parliamentary seats or 12.5% of the total votes qualified for funding as a threshold. In 1995, no political party scored the required percentage other than the ZANU-PF. The opposition parties believed that more political parties should qualify for funding and consequently took their proposal of reducing the threshold to the Supreme Court. After due consideration the court reduced the threshold to 5% of the total votes. The 2000 elections are therefore the only elections which will be subjected to the constitutional amendment.

The Role of the Registrar-General - A member of the delegated communicated that consultations with other stakeholders in the elections revealed that the Registrar-General was vested with immense powers which had resulted in minimizing the powers of the Electoral Supervisory Commission and that the powers of the Electoral Commission were not clearly stated. In response the Chairman explained that the roles of the Registrar General and those of the Electoral Commission were different.

He mentioned that the Electoral Commission was responsible for monitoring or supervising the general elections, bi-elections and local government elections.

The Chairman of ZANU PF further reported that the Election Directorate comprised the following ministries:

- The Public Service Commission
- Ministry of Home Affairs
- Ministry of Legal Affairs
- Ministry of Local Government and Housing

The delegation was told that the administration of polling stations was the function of the Ministry of Local Government, which has the national infrastructure to establish polling stations.

The delegation particularly enquired why a government agency was responsible for monitoring the elections. It was informed that during the referendum in February 2000, a proposal was made to transfer the role of monitoring and running the elections to an Independent Electoral Commission. The proposal was rejected and the government therefore had no choice but to continue running the elections.

The role of the Registrar General in the election process is more circumscribed. The Registrar's role is to register births, deaths and the voters' roll. Once the voters' roll is produced, it is submitted to the Delimitation Commission and there the role of the Registrar General ends. The meeting further heard that the people of Zimbabwe should report deaths promptly in order for the Registrar General to keep the voters' roll up to date.

War Veterans - With regard to the effect the war veterans had on voters and people living in areas adjacent to farms, the Chairman said their presence on farms had nothing to do with the elections and therefore no intimidation was expected. The war veterans were not intimidating voters, but they were in fact demonstrating against the government and white farmers for denying them land. He stated that evicting the war veterans would create difficulties, which would probably result in the cancellation of the elections. He assured the meeting that the police were in control of the situation and were working towards creating an environment conducive to peace. The delegation expressed concern about information received from stakeholders such as the Church, political parties, NGO representatives, civic leaders and journalists who were anxious about "no go areas."

The delegation wanted to know what precautions had been taken to protect those involved in the election process in unsafe regions.

In reply, the Chairman informed the meeting that violence was everywhere, and he gave his assurance that the law enforcement agencies were doing their job, but denied the existence of "no go areas." He was, in fact, convinced that some NGOs were against the ruling party as they were sponsored by foreign organisations, which were against the country's political system.

Control of Information - The Chairman conceded the fact that the ruling party had the advantage over other parties in as far as access to official information was concerned. He maintained that it was standard practice for the ruling party in any country to receive first hand information, particularly as programmes had to be implemented by civil servants.

Gender Issues - The Forum members questioned ZANU PF's policy on the appointment of women in decision-making roles. They also asked about the number of women who were standing for election. The Chairman disclosed that his party had not made good progress in that area. He, however, mentioned that a policy decision was made in the last congress to amend the party constitution to allow 1/3 of the posts to be contested by women.

Media Bias - It was alleged by many interested parties that the government run electronic media was biased in favour of the ruling party in terms of access and news coverage. The Chairman refuted the allegation. He argued that the ZANU PF always paid for airtime on ZBC. He therefore, assured the delegation that all parties were free to pay for coverage as long as they could afford it. In his view it is standard for the media to report on government activities as implementation of policy and the activities of government leaders need to be communicated.

Redistribution of Occupied Farms - The delegates asked what would happen to occupied farms if ZANU PF won the elections. Government policy, they were told, would be to repossess an identified 841 farms for re-allocation to war veterans. The farms would be divided into smallholder farms, black commercial farms, communal settlements and co-operatives.

The meeting lasted two hours. It should be noted for the record that the Chairman of ZANU PF came down from a meeting of the Politburo of his party to meet the Forum Delegation.

Before leaving the meeting earlier, the Minister of Justice, who had earlier denied knowledge of most the problems raised, assured the Forum delegation that it would be fully accredited to undertake its mission.

MEETING BETWEEN THE MOVEMENT FOR DEMOCRATIC CHANGE (MDC) AND THE SADC PARLIAMENTARY FORUM DELEGATION

The Chairperson of the SADC Parliamentary Forum Observer delegation, Hon Nora Schimming-Chase informed the MDC leadership that her groups's mission was to observe the whole electoral process from the campaign up to the announcement of the election results. In so doing it was vital to discuss all matters pertaining to the electoral process and system with the political parties, which are participating in the elections.

The MDC President welcomed the Observer Group. In his opening remarks, he stated that Zimbabwe is facing its deepest crisis, which should be resolved by Zimbabweans. He called upon SADC countries as friends to assist Zimbabwe. He notified the observer group that his party was prepared for the elections but he had the following serious concerns to share:

Electoral Process Concerns - The Electoral Supervisory Commission lacks the authority and capacity to supervise the electoral process and it is answerable to the Registrar-General, a civil servant who is open about his political affiliation. Specific process concerns were:

The voters' roll was unsatisfactory as it was filled with irregularities;

The integrity of the report of the Delimitation Commission was questionable because the ruling ZANU PF had access to it before it was published; and

The highest number of voters was registered in urban areas and yet the urban areas lost some constituencies.

The High Degree of Intolerance - the opposition was accused of compromising the security of the country but without proof. The MDC informed the delegates the intolerance took the form of:

The opposition having no access to the media while ZANU-PF used the State media for propaganda purposes;

A reign of terror which was unleashed on white commercial farmers, farm workers and rural dwellers which was meant to intimidate people to the degree that they did not vote or failed to support their preferred party.

Beatings, rape and destruction of peoples' property in several parts of the country
"No go areas", areas where the opposition had no access to either express their views
or campaign.

The state sponsoring violence in Zimbabwe.

The MDC President informed the observer group that his party is committed to land reform as "an unfinished agenda" and that the imbalance in land distribution between whites and blacks must be rectified. He said that there can be no free and fair elections in a violent atmosphere and that Zimbabweans should be allowed to elect a government of their choice without violence or intimidation; he expressed the view that the SADC PF could by its presence help to reduce violence. He added that the MDC is committed to the democratic process and wished for stability in Zimbabwe failing which the whole SADC region would be adversely affected. It was communicated that the MDC was trying to offer Zimbabweans constitutional and democratic rights.

In response to the MDC briefing, the Chairperson of the SADC Parliamentary Forum observer group wanted to know how many "no go areas" existed and what system had been adopted to ensure that the elections were free and fair. The MDC President responded as follows:

The MDC is cognizant of the 30 reserved seats. He stated that while the underlying principle of the provision was sound it was probable that ZANU PF would depart from its original intentions, which would lead to inequality of opportunity for political parties;

A number of areas were affected by violence and were therefore "no go areas". The areas of Mashonaland East, Central and the Chikomba Constituency. Were particularly affected. MDC candidates in these areas were targets of violence;

Due to violence and intimidation, the MDC had not released the names of its candidates to save them from violent attacks;

The state media supports the Government and the MDC received little coverage; and

There was no free air time for the opposition on the national electronic media.

The Secretary General of MDC raised the following questions with the SADC Observer Mission:

What mechanisms were in place for observation in relation to other observer groups?

What was the distinction between observers and monitors?

What were the terms of reference of the SADC Parliamentary Forum?

Since the ANC of South Africa had declared support for ZANU PF, would it be possible for its members to be objective?

In reply the Chairperson of the delegation stated that the Terms of Reference of the observer group was to observe the pre-election process of the electoral system up to the announcement of the results and to write a report on the exercise. She informed the MDC leadership that her group had interacted with most of the stakeholders in the electoral process, which included other observers. The Forum's role was not to supervise the process as monitors but to observe and advise and report.

At the end of the meeting, the Chairperson requested the President of the MDC to furnish the Forum observers with a list of the "no go areas" which was done. The list was submitted and it forms part of this report. In summary, it was pointed out that in Mashonaland East, only 2 out of 12 constituencies were accessible, 1 out of 10 in Mashonaland Central (i.e. only Bindura). Most of Mashonaland West was not accessible, especially the farming areas, such as Kariba, Makombe, and Hurungwe. In the Midlands the "no go areas" were in Mberengwa and Kwekwe. Chimanimani in Manicaland was also inaccessible to the opposition.

It was made known that several candidates had been forced to flee from their homes and constituencies; one candidate was reported to have been killed in the political violence.

CONSULTATIONS WITH CIVIC SOCIETY

Meetings with civic society representatives were held in line with the Forum's objective in article 5(m) which is: "to promote the participating of non-governmental organisations, business and intellectual communities in SADC activities." The umbrella civic society organisations which were active in the elections including the following:

Zimbabwe Electoral Support Network
National Constituency Assembly (NCA)
Zimbabwe Council of Churches (ZCC)
Fellowship for Reconciliation
Zimbabwe Women's Resource Centre Network
Women's Action Group
Anglican Diocese

Each of the organisations outlined the roles they were already playing and what they expected to do as domestic monitors during the Zimbabwe 2000 elections. They considered themselves well placed to promote equality and confidence in the election process. The Zimbabwe Council of Churches Election Monitoring and Training Programme communicated to the Forum delegation that they had trained 2,900 election monitors to cover the 120 constituencies and the 3600 polling stations. The full structure of command, the coordination process and the cooperation with other NGOs were explained to the PF observers.

The Church groups were also involved, on an on-going basis, in providing civic education to the grassroots levels. They stressed that one of their main tasks was to assure voters of the secrecy of the ballot. Posters encouraging people to vote were liberally distributed throughout the country. It was also significant that approximately 3000 T-shirts were printed and distributed to the public, depicting the need for peace.

Other civic society organisations such as the National Constitutional Assembly reported that they concentrated on monitoring of election related violence in conjunction with the Election Monitoring Network. At the time they said they had recorded 5000 incidents of violence. In addition, they offered an "electoral violence support system" to care for the victims of violence. The NCA had trained 9000 monitors. Claims were made by civic society representatives that their work was made difficult due to violence and bureaucratic red tape.

Civic groups also offered special programmes to promote the participation of women in the elections. The Network for example provided a platform where women from various parties shared ideas, learnt campaign skills and strategies and were generally made aware of gender issues and violence as an election ploy. Attempts were made, albeit unsuccessfully, to encourage political parties to field female candidates. Complaints were made by civic society groups that the

Electoral Supervisory Commission had not received advance copies of the voters' rolls three weeks before the elections. They perceived that too much power was vested in one electoral body, that is the Office of the Registrar General.

Members of civic society provided vivid accounts about "no-go-areas" which had emerged in some parts of the country. Quite often, however, it was difficult to quantify the magnitude of this problem but it was evident that the claims were both frequent and widespread. Some of these accounts came to the attention of the provinces in the pre-election period as reflected in their reports which are in the custody of the Forum.

VOTING PACT

The Observer delegation also held a meeting with officials of what was called the Voting Pact. This was a grouping of three political parties which had pockets of support in different parts of the country and which fielded some candidates in approximately 1/3 of the 120 constituencies. The parties included the Zimbabwe Union of Democrats led by Margaret Dongo (one of three opposition MPs at this stage), the United Parties, headed by former "Zimbabwe - Rhodesia" Prime Minister Abel Muzorewa and the ZANU-Ndonga party, which retained one seat in its traditional Chipinge area. The pact had been set up "to strengthen the opposition" whilst maintaining the separate identities of the parties. The Pact won only one seat in the Parliamentary Elections. The Pact members complained about intimidation and raised suspicions about the legitimacy of the voters' roll as evidence of political inequality. The Voting Pact informed the Forum that the opposition would have to overcome many hurdles, such as violence, to win the election.

The Forum delegation was satisfied that it had consulted major stakeholders on the basis of which, they proceeded to the provinces to assess the situation on the ground. In the provinces, the consultations were extended to include observation of public meetings and meetings with security officials to ascertain the reports of violence and other matters.

EXPERIENCES WITH MEDIA OFFICIALS

The Forum was keen to establish the official policy on the access and use of the media during the elections and how they perceived their role.

It was important to hold meetings with all media interest groups, both public and private.

It was therefore unfortunate that most of the chief executives of the public media, both print and electronic, did not arrive for the scheduled meetings with the Forum delegation, unlike their counterparts from the private media. The Forum did send several messages and even scheduled extra meetings without success. In their mitigation there was some misunderstanding about appointments given the heavy schedules on the part of the Forum and the media.

In contrast to the absence of the public media at meetings, reporters from various media organisations pursued the Forum delegation relentlessly. Our policy was to communicate our position on what we had seen or experienced and not to engage in hearsay in the polarized atmosphere of the elections.

We were honoured to appear on Zimbabwe TV ourselves, on more than one occasion, to explain our mission.

POST-ELECTION REPORTS

POST-ELECTION COURTESY CALL ON PRESIDENT MUGABE

On Friday, 29 June 2000, a delegation of the SADC Parliamentary Forum Observer delegation paid a courtesy call on President Mugabe, which lasted one and a half hours. The delegation felt that this was a propitious moment for meeting the Head of State, to brief him on their findings and express goodwill to the people of Zimbabwe now that the people had voiced themselves through the vote. The Head of State warmly welcomed the delegation and congratulated the Forum for having pioneered the initiative to participate as regional observers.

OTHER MEETINGS

The Forum delegation members also took the opportunity to meet a delegation of the MDC led by its Secretary General, Professor Ncube who was elected MP. The Forum delegation commended the MDC for accepting the results of the elections and briefed them about the Forum. As stakeholders, the MDC representatives also thanked the Forum for having come to Zimbabwe to observe the elections under difficult circumstances.

APPENDICES



SCHEDULE FOR THE PRE-ELECTION MISSION TO ZIMBABWE 27 May - 12 June 2000

- Monday
May 29 Introduction and Orientation
Venue: Jameson Hotel - Sanyati Room
Delegates Photographs will be taken
- 9:00-10:15 Presenter: Dr. Kasuka Mutukwa
- Review and Discussion of Programme
 Terms of Reference
 SADC Parliamentary Forum Mission
- 10:15-10:45 Tea Break
- 10:45-12:00 Presenter: Mr. Dennis Kadima (Electoral Institute of
Southern Africa (EISA)
- Comparative Analysis of Electoral Systems
- 12:00-13:00 Presenter: Mr. David Zamchiya
Moderator: Dr. Mutukwa
- Electoral System
 Legal Framework
 Political Parties and Candidates
- 13:00-14:00 Lunch served in the Sandawana Room
- 14:00-16:00 Presenters: Professor s Lovemore Madhuku &
Rudo Gaidzanwa of Zimbabwe
- Panel Discussion: The Political Context of the Elections
- 16:00-17:00 Delegation organisation meeting

18:00 Reception (cocktails and appetizers)

Guests: H.E. High Commissioners & Ambassadors and
International Organisations
Venue: Jameson Hotel - Limpopo Room

HARARE MEETING SCHEDULE

Tuesday 30 May -Friday 02 June

Throughout the week the delegation will conduct consultations and meetings with the significant stakeholders in the electoral process: government, electoral authorities, political parties, civil society and other observation missions. The following are those with whom we are in the process of securing the appointments. There will be opportunity to add others.

Tuesday

30 MAY ELECTION OFFICIALS & PARLIAMENT

8:00 Delimitation Commission
Chairperson - Mr. Justice W. Sandura
Venue: Parliament Building, Union Avenue

10:00 Hon. Speaker C Ndebele, Speaker of Parliament
Venue: Parliament Building, Union Avenue

12:00 Lunch Meeting with Election Supervisory Commission
Acting Chairperson - Mrs. Elaine Raftopolous
Venue: Sanyati Room, Jameson Hotel

14:00 Registrar General
Chairperson - Mr. Tobaiwa Mudede
Venue: Makombe Building - Block 4

16:00 Delegation Debriefing
Venue: Sanyati Room

Wednesday

31 May POLITICAL PARTIES and CIVIL SOCIETY

Time TBD Zimbabwe African National Union (ZANU-PF)

11:00 Movement for Democratic Change (MDC)

Venue: MDC Headquarters

13:00-14:00 Lunch

14:00 Voting Pact

Zimbabwe Union of Democrats (ZUD)

United Parties (UP)

ZANU-Ndonga

Liberty Party

Venue: Jameson Hotel - Sanyati Room

16:00-18:00 Civil Society Leaders
Zimbabwe Electoral Support Network (The Network)

Committee on Election Observation:

National Constitutional Assembly

Foundation for Democracy

Zimbabwe Council of Churches

Fellowship for Reconciliation

Zimbabwe Human Rights Association (ZimRights)

Zimbabwe Women's Resource Centre Network

Women's Action Group

Venue: Jameson Hotel - Sanyati Room

Thursday

01 June MEDIA

14:30 Ministry of Information, Posts and Telecommunications

TBD Print: The Herald and The Sunday Mail

TBD Print: The Daily News, The Independent, The Financial Gazette,
The Mirror and The Sunday Standard

TBD Media Monitoring Project
[Media Institute for Southern Africa (MISA) and Article XIX]

TBD Zimbabwe Broadcasting Corporation (ZBC)

TBD Southern Africa Research and Documentation Centre (SARDC)

TBD Delegation Debriefing

Friday
02 June REGIONAL AND INTERNATIONAL OBSERVERS

There are many national, regional, pan-national, government and non-government organisations planning to observe the Zimbabwe elections. The Delegation will receive briefs from those that are currently on the ground.

9:00 United Nations Development Programme
Venue: Jameson Hotel - Room Sanyati

11:00 The Commonwealth
Venue: Jameson Hotel - Room Sanyati

TBD European Union
Venue: Jameson Hotel - Room Sanyati

TBD The South African Parliament delegation
Venue: Jameson Hotel - Room Sanyati

TBD The National Democratic Institute
Venue: Jameson Hotel - Room Sanyati

TBD Election Commissioners Forum of SADC
Venue: Jameson Hotel - Room Sanyati

TBD Electoral Institute of Southern Africa (EISA)
Venue: Jameson Hotel - Room Sanyati

TBD Organisation of African Unity (OAU) delegation
Venue: Jameson Hotel - Room Sanyati

Saturday
03 June

TBD Deployment Debriefing
Venue: Jameson Hotel - Sanyati Room

TBD Candidate Nomination Court visits

Sunday-Friday
04-09 June

Delegation Deployment: The delegation will be deployed into three teams. Each team will cover three provinces over a period of five days. The team members will be determined during the week. Each team will be accompanied by two staff members.

Team #1:
Hwange
Lupane
Bulawayo
Gwanda

Team #2:
Masvingo Chipinge
Chimanimani
Mutare
Marondera

Team #3:
Gweru
Kadima
Chinhoyi
Bindura

Friday

10 June

Morning

Delegation Returns to Harare

Afternoon

Debriefing and Report Drafting [two day process]

Report-Backs for Each Team

Characterization of Electoral Environment

Articulation of Findings

Rappateur's Report

Review and Editing of Report

Finalization of the Report

Saturday

11 June

Debriefing and Report Drafting - continued

Sunday

12 June

Delegation Departs

SADC PARLIAMENTARY FORUM BRIEFING BOOK MATERIALS DISTRIBUTED TO OBSERVER DELEGATION
Letter of Welcome
Orientation Agenda Table of Contents
List of Delegates & Secretariat
Voting & Counting Process "Step by Step" (by ZCC)
Deployment Agenda (teams/locations/dates)
Map of Zimbabwe
Map of each province
List of Candidates by province & constituency
Police National Reports on Violence during Pre-Election Periods
The 2000 Delimitation Commission; Harare, May 2000 (Cmd.R23 200)
Constituency Maps
Zimbabwe Election Law & Amendments
Zimbabwe Constitution
Electoral Supervisory Commission booklet
Political Party Manifestos for Election 2000:
MDC (Movement for Democratic Change)
UP (United Parties)
ZANU-PF (Zimbabwe African National Union Patriotic Front)
ZUD (Zimbabwe Union of Democrats)
FODEZI's Manual for Voters' Roll Auditors
SADC Parliamentary Forum Election Observer Delegation: Provincial Deployment Materials
SUPPLEMENTARY READING MATERIALS
Jonathan Moyo "Voting for Democracy": Electoral Politics in Zimbabwe UZ1992
John MW Makumbe "Behind the Smoke Screen" The Politics of Zimbabwe's 1995 General Elections, Harare, 2000
Masipula Sithole & John Makumbe "Elections in Zimbabwe: ZANU PF"

Admore M Kambudzi "Zimbabwe Free and Fair Elections"
Zimbabwe Media Monitoring Project "Media Update"
Zimbabwe Media Monitoring Project Reports A Duty to Inform A Question of Balance: March 2000
Commercial Farmers Union Report on Land Invasions
World Council of Churches "Report on Team Visit to Zimbabwe", 2000
Amnesty International "Human Rights Brief for Election Observers", 2000
Zimbabwe NGOs Forum "Violence Monitoring Project Report"

DELIMITATION REPORT RELEASED
NUMBER OF CONSTITUENCIES BY PROVINCE

PROVINCE	NUMBER OF REGISTERED VOTERS	NUMBER OF REGISTERED VOTERS DIVIDED BY 42 082	NUMBER OF CONSTITUENCIES
Bulawayo	357 281	8.49	8
Harare	799 452	18.99	19
Manicaland	575 404	13.69	14
Mashonaland Central	418 277	9.93	10
Mashonaland East	506 817	12.04	12
Mashonaland West	502 964	11.95	12
Masvingo	593 778	14.11	14
Matabeleland North	317 405	7.54	7
Matabeleland South	319 015	7.58	8
Midlands	58 422	15.64	16
Total	4448 815 119.96	120	

**SADC PARLIAMENTARY FORUM
ELECTION DELEGATION DEPLOYMENT SCHEDULE**

**Sheraton Hotel - Room 120
Direct Line: 758 635
18-28 June 2000**

Province	City	Delegate	Country	Staff	Drivers
Matabeleland 14	Bulawayo	Hon. Janguo Hon. Dlamini	Tanzania Swaziland	Mr Mwiya (Namibia)	Cell: 091 240 399
Midlands 15	Kwekwe	Hon. Sekamane Hon. Banda	Lesotho Zambia	Ms Butale (Botswana)	Cell: 011 407 142 (Tendai)
Mashonaland West 16	Kariba Chinhoyi, Kadoma	Hon. Kamanga	Zambia	Ms. T Philemon (Namibia) Mr. G Gambiete (Angola)	Cell: 091 244 629 (Francis)
Manicaland 17	Mutare	Hon. Moises Kambaya Hon. Maswabi	Angola Botswana	Mr. Kateule	Cell: 091 402 300 (Robson)
Masvingo 18	Masvingo	Hon. Chikwenga Hon. Alburqueque	Malawi Angola	Ms. Kazela (Zambia) Domingos (Interpreter)	Cell: 091 244 615 (Mutendi)
Harare 19	Harare	Hon. Schimming - Chase Kasuka Mutukwa Hon. Ntlabati	Namibia SADC South Africa	Ms Kauvee (Forum) Ms Simunyama (Zambia) T.K. Ruhilabake (Tanzania)	Cell: 091 240 419 (Shikisha)
Mashonaland Central 20	Bindura (based in Harare)	Hon. Bibi Mon. Mohasoane	Seychelles Lesotho	Mr. Nabulyato (Zambia)	Cell: 091 241 317 (Magota)
Mashonaland East 21	Marondera	Hon. Mbuende Hon. Tsogwane	Namibia Botswana	Ms Talakinu (Zambia) Ms N Mene (South Africa)	Cell: 091 240 388 Reason)
Mashonaland West 22	Kwekwe, Kadoma, Chegutu, Mhurombedzi, Zvimba South & North	Hon. Maguni Hon. Simango	Mozambique Mozambique (Forum)	Ms. Mugaviri (Forum) Mr. Musavengana	

Updated: 21 June 2000 - 16:20 Hours

VOTES CAST BY PROVINCES IN THE ZIMBABWE 2000 ELECTIONS

PROVINCE	VOTES CAST	VOTER POPULATION
BULAWAYO	171 669	375 743
HARARE	394 073	849 335
MASVINGO	286 741	612 306
MASHONALAND CENTRAL	247 953	441 552
MASHONALAND EAST	278 221	535 106
MASHONALAND WEST	246 783	530 364
MANICALAND	272 909	612 253
MATEBELELAND NORTH	147 828	327 740
MATEBELELAND SOUTH	159 579	331 623
MIDLANDS	350 505	682 882
TOTAL	2 556 261	5 298 904

Source: Electoral Supervisory Commission/Registrar General's Department