

# ZIMBABWE ELECTION SUPPORT NETWORK



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## PRESS STATEMENT

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### ZESN CONCERNED WITH CHANGES TO THE ELECTORAL LAW

**Harare 18 March 2008** – The Zimbabwe Election Support Network (ZESN) is extremely concerned by the late changes to the electoral law that allow police officers to be present inside polling stations as promulgated by President Mugabe through the Presidential Powers (Temporary Measures) (Amendment of Electoral Act) (No. 2) Regulations, 2008. The new regulations will also require police officers together with polling officials to help voters requiring assistance to cast their ballots as reported in *The Herald* on 18 March 2008. These changes appear to have been made unilaterally without consultation or agreement by other stakeholders. Events unfolding at a briefing of observers and stakeholders by ZEC today make it apparent that even the commission was not aware of these changes.

Noel Kututwa, ZESN Chairperson, was quoted as saying “The recent announcement that the electoral regulations have been unilaterally changed to require police officers to be inside polling stations could undermine public confidence that their vote is their secret. Further, voters requiring assistance to cast their ballots should be able to designate a person of their choice to help them mark their ballot. This announcement effectively reverses important electoral reforms that were only gazetted in January 2008”.

The decision to have police officers based 100 metres away from polling stations was an important measure to enhance public confidence in the electoral process. It enabled the police to fulfil its role of maintaining public order while ensuring that there is a safe environment inside the polling stations where voters will feel free to exercise their right to vote. The decision to deploy police officers inside polling stations flies in the face of Article 2.1.1 of the *SADC Principles and Guidelines Governing Democratic Elections*, which requires member states to ensure that there is full participation of the citizens in the political process. The presence of police in the polling stations will be intimidatory and more so to the assisted voter, hence undermining the aforementioned clause of the SADC Principles and Guidelines. .

With regards to assisted voting, due to illiteracy, physical handicaps or old age, the principle of “equal opportunity to exercise the right to vote and be voted for” as enshrined in Article 2.1.6 of the *SADC Principles and Guidelines Governing Democratic Elections* requires that voters should be free to select a person of their own choosing to help them mark their ballot. Allowing voters to choose for themselves who assists them to vote is not burdensome to the electoral process and will enhance accountability and public confidence in the process.

ZESN urges these changes to be rescinded so that all Zimbabweans can freely exercise their right to vote and re-emphasises its recommendation that voters needing assistance should be assisted by their trusted friend or a relative. **Ends//**

### PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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