

**Report On The
2000 Parliamentary Elections
Zimbabwe
24 – 25 June 2000**

**Zimbabwe Election Support
Network**

Acronyms

ANP	African National Party
CSO	Civil Society Organisation
ED	Election Directorate
ESC	Electoral Supervisory Commission
LPZ	Liberty Party of Zimbabwe
MDC	Movement for Democratic Change
MOP	Multi – Racial Open Party
NDU	National Democratic Union
NGO	Non Governmental Organisation
NPA	National People’s Alliance
NPP	National People’s Party
PDF	Popular Democratic Front
UP	United Parties
ZANU	Zimbabwe African National Union
ZANU PF	Zimbabwe African National Union (Patriotic Front)
ZAPU	Zimbabwe African People’s Union
ZBC	Zimbabwe Broadcasting Corporation
ZCP	Zimbabwe Congress Party
ZESN	Zimbabwe Election Support Network
ZIP	Zimbabwe Integrated Party
ZPP	Zimbabwe Progressive Party
ZUD	Zimbabwe Union of Democrats

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Members of The Zimbabwe Election Support Network

1. Amani Trust
2. Association of Women's Clubs (AWC)
3. Catholic Commission for Justice and Peace (CCJP)
4. Civic Education Project
5. Evangelical Fellowship of Zimbabwe (EFZ)
6. Federation of African Media Women (FAMWZ)
7. Fellowship for Reconciliation in Zimbabwe (FORZ)
8. Foundation for Democracy in Zimbabwe (FODEZI)
9. Gender and Politics Working Group
10. Human Rights Research Documentation Trust of Southern Africa (HRRDTSA)
11. Legal Resources Foundation (LRF)
12. Management Outreach Training Service for Rural & Urban Development (MOSTRUD)
13. Media Institute of Southern Africa (MISA)
14. Media Monitoring Project (MMP)
15. Micro Empowerment Foundation (METFUND)
16. Musasa Project
17. National Constitutional Assembly (NCA)
18. Organisation for Rural Association for Progress (ORAP)
19. Popular Education Collective (PEC)
20. Support Group for Democracy and Good Governance (SGDG)
21. Think Tank for Integrated Development
22. Training and Research Support Centre (TARSC)
23. Transparency International Zimbabwe (TIZ)
24. Women's Action Group (WAG)
25. Women and Land Lobby Group
26. Zimbabwe A.H.E.A.D
27. Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO)
28. Zimbabwe Civic Education Trust (ZIMCET)
29. Zimbabwe Congress of Trade Unions (ZCTU)
30. Zimbabwe Council of Churches (ZCC)
31. Zimbabwe Human Rights Association (ZimRights)
32. Zimbabwe Union of Journalist (ZUJ)
33. Zimbabwe Layers for Human Rights (ZLHR)
34. Zimbabwe Nation Students Union (ZINASU)
35. Zimbabwe Students Christian Movement (ZSCM)
36. Zimbabwe Women's Resource Center and Network (ZWRCN)

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The views expressed in this report are those of ZESN and not of the sponsors. We take full responsibility for all the information contained in this report, including opinions, facts and any inaccuracies.

Philliat Matsheza
Chairman – ZESN

Executive Summary

The Pre-election environment and political situation was not conducive for free and fair elections in Zimbabwe during the 5th Parliamentary Elections, 24-25 June 2000. High levels of violence, intolerance and intimidation marked the period leading to the parliamentary elections. The independent media as well as long-term trained monitors covered hundreds of politically motivated incidences of violence, ranging from beatings to killings. Political violence in the period running up to the elections has officially claimed 31 lives and caused over 500 serious injuries. Other forms of violence were of a psychological nature, use of abusive language and generally instilling fear and despondency. This violence created an atmosphere of fear and anxiety, which had a serious psychological effect on the electorate. These conditions, coupled with inequitable access to the state media and to political funding also had a negative effect on the campaigns of a significant number of candidates.

A large sector of the country remained inaccessible to the civic society organisations (CSOs) and opposition political parties as a result of the violence and occupation of the farms by war veterans. Mass fear created by the violence prevented people from exercising free choice at the ballot box. During the election period the right to life, freedom of opinion, expression, association, assembly and movement were all substantially restricted.

During the days of voting and counting, the situation was generally calm and free from violence. There were no significant impediments to the exercise of the right to vote. However, the obstacles that were faced by monitors seeking accreditation and the resultant delay in their deployment meant that voting was not fully monitored. Furthermore, the harassment of some of the accredited monitors by election officials and candidates raised questions about the fairness of the poll. Since training and deployment of monitors had previously been openly agreed with the Electoral Supervisory Commission ((ESC), the changes to the regulations represented bad faith on the part of government, and even an attempt to frustrate the monitoring process.

The period following the voting and announcement of results has been on the whole peaceful with less incidents of violence being recorded. However, the fact that violence is still being reported is an issue of concern, as are allegations that throughout the entire election period, the authorities have been involved in the violence or have turned a blind eye.

Given that the events, which occurred before, during and after the election, compromised the freeness and fairness of the polls, it is not possible to declare the elections free and fair.

The Zimbabwe Election Support Network would therefore like to join other voices in calling for a review of the legal framework of elections, an investigation of all the irregularities and the establishment of an Independent Commission of Inquiry to fully investigate the pre-election violence.

Introduction

The Zimbabwe 200 general elections were historic for a number of reasons. However, what perhaps the most striking feature of the elections was that issue of governance, development and democracy came into sharp focus against a background of political violence, generalised lawlessness and anarchy.

The Report

This report is an account and analysis of events, which took place in Zimbabwe before, during and after the 2000 Parliamentary General Elections held on 24-25 June 2000. The information in this report has been collected by individuals and organisations from different sectors of Zimbabwean society. Information about what actually occurred at polling stations was collected by ZESN monitors some of whom were appointed by the ESC and accredited by the Registrar General. Problems with accreditation limited the number of monitors who were able to access polling stations but nevertheless in one way or another monitors were present in every constituency. In fact, the Network is arguably, the only organisation, which managed to achieve total coverage of the whole country.

The information flow on some issues has been so massive and opinions have become polarised. Yet, on some equally pertinent issues there has been a massive dearth of information. Sensation and ignorance are fertile fields for the flourishing of inaccuracies. In such a situation, it is imperative to have a non-partisan, neutral and professional body not only possessing monitoring functions but also investigator capacity enabling it to verify facts on the ground. Indeed this was one of the considerations behind the formation of the Network.

The Zimbabwe Election Support Network

The Zimbabwe Election Support Network (ZESN) is a coalition of 36 non-governmental organisations formed to co-ordinate activities pertaining to elections. The major focus of the Network is to promote democratic processes in general and free and fair elections in particular.

In order to facilitate conditions conducive for the conduct of credible elections in Zimbabwe, the ZESN organised itself into governance structures. The policy-making body of the ZESN is a Board on which sits eight-member organisation whose period of tenure on the Board is an interim of one year. Under the Board is the general membership of 36 organisations. The current membership of the Network are diverse organisation who in one way or the other work towards ensuring that civic society plays an important role in achieving free and fair elections in Zimbabwe and developing democratic political culture in Zimbabwe. The Network also seeks to ensure that civic society organisations use a standardised methodology in their programme implementation and that all areas of the country are covered.

For programme implementation, the Network works through the following subcommittees:

- Civic and Voter Education
- Research and Advocacy
- Election Monitoring
- Media
- Violence Monitoring

Working Methods

In order to amplify the voice of civil society during the election period, the Election Monitoring sub-committee set up a Public Liaison Desk, which was tasked with the responsibility of co-ordinating activities for the actual polling days of 24-25 June 2000. The task of the Public Liaison Desk was to receive and disseminate information on the polling process from around Zimbabwe

and to provide interface among civil society international observers and other stakeholders in the country for the purpose of monitoring the elections.

The National Command Centre was located in Harare at the Sheraton Hotel. It was operational two days before the start of polling and remained open 24 hours a day until all the votes had been counted and the results announced. Information was collected through telephone hotlines, facsimile transmission, e-mail and oral reports from the country's constituencies. No polling station however remote or inaccessible was left out of this exercise. The monitors continuously supplied either the Provincial Command Centre or National Command Centre with information. Over and above these occasional reports, each monitor had to complete a comprehensive questionnaire (See Annex). For all the purpose of this report, mention must be made of the function of the Legal and Ethics Committee. The Committee's chief task was to verify reports of electoral incidences before such information was recorded as correct. The Committee scrutinised all communications to the National Command Centre.

Insert picture – Outside National Command Centre

The Network is still receiving a feedback from all the country's electoral provinces. The information flow is mammoth and there is no way the Network can process all the information for this report given the time constraints. Therefore, using universally accepted scientific methods the Network has only selected a representative sample of observation forms and situational reports to cover all the constituencies. The total number of reports involved is more than 5000. This sample was selected in such a way that it is representative of the whole country.

The Election Context

The Network recognises that 'democracy' as the word's entomology suggests is the role of the people in governance. The right to electoral democracy is therefore the right of the people to participate in and to be consulted in the process by which political choices are made. The right to electoral democracy is enshrined in the Zimbabwe constitution and in the United Nations Covenant

on Civil and Political Rights. The right entitles citizens to free, fair and open participation in whatever democratic process of governance they choose. The Network recognises also that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interest of the governed. Therefore as a matter of practical experience, the rights of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights. (Article 25 of the United Nations Covenant on Civil and Political Rights).

The right to electoral democracy entails not only free elections at reasonable intervals but also a national legislature in which at least one chamber's membership is freely contested in a popular vote; a system of universal and equal adult suffrage; secret ballot; free, non-discriminatory candidature for the office; freedom to form political parties that compete on the basis of equal treatment before the law and by the authorities; free and fair campaigning; and absence of legal administrative obstacles to media access. This right must be available on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process with a guarantee that the candidates who obtain the necessary number of votes required by law are duly installed in office and permitted to remain in office until their term expires or is otherwise terminated in accordance with the law.

Chapter 1

Constitutional and Legal Framework of 2000 Parliamentary Elections

1. Constitutional and Legal Framework of the 2000 Parliamentary Elections

A close analysis of the data collected by the Network clearly demonstrates that the legal framework under which the 2000 Parliamentary elections were held was replete with legal deficiencies, which caused a fair amount of confusion and anxiety especially to civil society and the electorate.

The principal organs of state that are empowered to deal with the elections are the President, the Electoral Supervisory Commission, the Election Directorate, the Delimitation Commission and the Registrar General.

The data, which was collected and analysed, by the Network, clearly exposes the legal framework's aforementioned deficiencies. In particular, the framework provides significant overlaps and duplication of efforts among electoral authorities.

The functions and powers of the authorities responsible for the conduct of elections are briefly discussed below.

1.1 Constitutional Provisions

The question of elections is dealt with in part 6 of the Constitution of Zimbabwe. In just four sections (namely sections 58 to 61) the constitution disposes of the most fundamental institution in any representative democracy.

Section 58 states when a general election may be held and provides for other issues connected therewith. In brief this section provides as follows;-

A general election must be held within four months of the dissolution of parliament, on such days or day as the President may, by Proclamation fix.

1.1.1 The Delimitation Commission And Its Functions

Section 59 establishes the Delimitation Commission (DC). The D.C is appointed by the President and is constituted as follows:

- 1) It is chaired by the Chief Justice or some other judge of the Supreme Court or High Court appointed after consultation with the Chief Justice; and
- 2) Three other members appointed after consultation with the Chief Justice;
- 3) The Constitution obliges the President to convene a Delimitation Commission at five yearly intervals or at such time as the President may determine.
- 4) The chief function of the Delimitation Commission is to divide the country into 120 common roll constituencies.

Section 60 broadly outlines the Delimitation process. It specifically provides that Zimbabwe shall be divided into 120 common roll constituencies. The Constitution requires that the number of voters registered in each common roll constituency be as nearly equal to the number of voters registered in each of the other constituencies as possible.

1.2 The 2000 Delimitation Commission Report

The 2000 Parliamentary Elections were characterised by unfortunate delays. The Delimitation Commission was appointed by the President on the 28th of March 2000 yet in terms of Section 59 (4) of the Constitution, the President should have appointed the Commission

soon after the expiration of the five-year term of the previous Commission.

During the course of the pre-election period, the Network received 6 communications from political parties and more than 300 from potential voters in relation to delimitation issues. The communications from the parties related to their perception of bias and possible manipulation of the boundaries to the detriment of the opposition political parties. The Chairman of the Delimitation Commission briefed the Minister of Justice, Legal and Parliamentary Affairs who was also a member of ZANU (PF)'s election strategies committee on the progress of the delimitation exercise. In essence, therefore, it is alleged one party had an unfair competitive advantage.

The communications from the voters related to the fact that the report of the Delimitation Commission was not adequately disseminated, hence some of them went to wrong constituencies and were turned away.

One communication from a prospective Zimbabwe Union of Democrats (ZUD) candidate related to the fact that the time between release of the Delimitation Commission report and the sitting of the nomination courts was not sufficient for him to complete the required nomination procedures.

The main opposition party, the Movement for Democratic Change (MDC), successfully petitioned the High Court to postpone the nomination court sittings as a result of the foregoing.

1.3 The Electoral Supervisory Commission

Section 61 of the Constitution established the Electoral Supervisory Commission (ESC). The ESC is to be composed as follows:

- i. A chairperson and two other members appointed by the President after consultation with the Judicial Service Commission; and
- ii. Two other members appointed by the President after consultation with the Speaker of Parliament.

In the discharge of its functions, the ESC is not meant to be subject to direction or control of any person or authority. ESC members' tenure of office is guaranteed by the constitution and protected from unlawful interference by the executive.

1.3.1 Functions of the E.S.C

The functions of the ESC are set out in Section 10 of Amendment No.14 to the Constitution of Zimbabwe. There are inter alia;

- A To supervise** the registration of voters and conduct of elections to Parliament and to the office of the President; and
- B To consider** any proposed Bill or proposed Statutory Instrument which may be referred to it and which relates to the registration of voters or to any election referred to in paragraph (a) or (b).

The Key phrases in analysing the ESC's Constitutional mandate are "to supervise" and "to consider" as used in Section 61 (3) of the Constitution as amended. Regrettably, these phrases are not defined in the constitution or any other legislation. It is suggested that they must be given their ordinary grammatical construction.

It is quite clear that the Constitution intended that if there by any election observers or monitors, they would work under the auspices of the ESC. It is also clear that although the Constitution does not give the ESC enforcement powers, it all the intended the ESC to be in charge of election supervision and monitoring. In this regard, the ESC is not and cannot be subordinated either to the Election Directorate or the Registrar General's office.

A cursory analysis of the aforementioned constitutional provisions also suggests that the legislation pertaining to elections should be considered by the ESC.

1.3.2 Observations on the ESC Performance

The Network received more than 75 communications from political parties, non-governmental organisation, monitors, international observers and voters concerning the function and responsibilities of the commission during the election. All the communications from various actors were unanimous on the fact that the commission had professionally managed the supervision of elections. Twelve communications from non-governmental organisations, 5 from international observers, 27 from voters and 10 from monitors all indicate that the Electoral Supervisory Commission is the only state organ amongst all other organs dealing with elections that was said to be truly professional. Four communications from 4 different political parties openly acknowledge the fact that ESC is the only electoral body that they do not regard with suspicion.

Both the present Chairperson, who was appointed just a few days before the polls and the former Acting Chairperson have been commended by non-governmental organisation, political parties and international observers for their firm grasp of their responsibilities and a determination to fulfil those responsibilities.

Much of the credit and goodwill which the Electoral Supervisory Commission has created stems from its willingness to engage the people of Zimbabwe in an electoral process of value formation and decision making within its areas of jurisdiction. The ESC has been innovative in its approach to the supervision of monitoring of elections. By accrediting domestic monitors to witness Election Day procedures, it has not only ensured that the people of Zimbabwe exercise a certain

level of ownership over the electoral process, but also that the integrity of the election is guaranteed by the people themselves.

However, while most of the communication recognised and commended the professionalism of the ESC, 23 communications submitted that the work of the ESC was compromised by persistent and determined interference in its work by the Election Directorate and the Registrar General. In practice, this interference neutralised effective monitoring of the election by domestic monitors. Two bodies issued arbitrary directives, circulars and instructions on the eve of the polls and during the actual poll. It should be noted that the then chairman of the ESC resigned in February 2000 as a result of frustration at the non co-operation and interference of the other authorities.

The reports received by the Network also indicate that the ESC was hampered in its work largely because of inadequate financial and human resources.

1.4 The Role of the Minister of Justice

In terms of Section 157 of the Electoral Act (Chapter 2:01) as amended by Act 21 of 1997, the Minister of Justice Legal and Parliamentary Affairs has the prerogative to make regulations and amendments to such regulations.

The Act provides, inter alia, as follows: -

The Minister may by regulation prescribe all matters, which by this Act are required or permitted to be prescribed or which, in his opinion, are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

It is worth noting from the onset that the Electoral Act does not provide for either election monitors or observers. In fact there is nowhere in the existing legislation that either terms are defined. In other word, our legislation did not envisage a role of election observers and monitors.

The Electoral Act does not require the Minister to make regulations concerning election monitors and observers. As indicated above the Electoral Act does not envisage any role for election monitors/observers in the electoral system. Consequently, it can, therefore, not be said that regulations dealing with election monitors and observers are necessary or convenient for carrying out or giving effect to the Electoral Act. It suffices to note that the promulgation of statutory instrument 161A of 2000 must be read within this context.

1.5 The Substantive Effect of Statutory Instrument 161A of 2000

This is a new instrument defining the role of monitors and observers promulgated a few days before elections.

Strictly speaking, S.I 161A of 2000 is an addendum to S.I 158 of 1992 and not simply an amendment. It clearly adds the following, to existing regulations;

- a) The definitions of “Monitor” and “Observer”
- b) A new Section 15B(1) which purports to authorise the ESC to appoint “Monitors”. This section limits the duties of persons so appointed merely to monitoring the conduct of polling and the verification of statements of presiding officers and the counting of votes”

This new Section prohibits the appointment as a monitor of any person who is either an officer or member of any political party contesting the poll being monitored or not a citizen of Zimbabwe.

- c) Section 15B (2) assigns to the Election Directorate – on recommendation of the Ministry of Foreign Affairs – the power to “accredit in terms of Section 16 observers from a foreign country or representing an International observers to “observing the conduct of polling and to being present at the counting of votes”.

This Amendment essentially views monitors and observers as playing the same role. It is for this reason that their separate accreditation

becomes problematic. Not only that, it also makes nonsense on the requirement that monitors' competence should be approved by the Registrar-General through some rigorous process which process includes training in Electoral laws and procedure. Yet, this is a requirement for foreign observers.

- d) Section 15B (3) obliges both the ESC and the Election Directorate forthwith to inform the Registrar General in writing of the names of the monitors appointed or observers accredited as aforesaid.
- e) Section 16 of S.I 58 of 92 as amended has been repealed and substituted with a new Section 16.

The new section had the following provisions:

- i. It provided that observers may not be excluded from any polling station and that they are entitled to be present at the counting of votes.
- ii. It subordinates every election agent, polling agent, monitor and observer to a Code of Conduct, the breach of which constitutes an offence and attracts a fine of up to \$10,000.00.

This excessive penalty is unjustified. More so if compared to, for instance the general penalty for illegal practice in Section 123 of Principal Act, or the Penalty for Betting in Section 115 of the Act or Bribery in Section 106 of the Act.

Because of the nature of their role and indeed the category of misconducts set out in the Fourth Schedule of S.L. 161A of 2000 provides that they would not be permitted to enter any polling station or to be present at the verification of statements of presiding officers or counting of votes unless they are, prior to the commencement of the poll, accredited by the Registrar-General.

This accreditation process entails the following:

- i. The person must appear before the Registrar General or his lawful nominee at the time and place notified by the Registrar General and
- ii. Satisfy the Registrar General or his lawful nominee that he/she is aware of the contents of the Code of Conduct prescribed in the Fourth Schedule; and
- iii. *If so required* by the Registrar General, attend a course on Electoral Law and procedure *approved by the Registrar General.***

This section is problematic for the following reasons:

- (a) It makes the Registrar-General overall in charge of not only the election process but also of the Supervisory functions incidental to such elections. The monitoring function of the ESC is therefore effectively subordinate to his discretion.
- (b) This Section also seeks to censure the nature and extent of electoral monitoring through unacceptably high penalties.
- (c) It is a contradiction of Section 61 of the Constitution for the judgment of the competence of monitors to be assessed and approved by the Registrar-General instead of the Electoral Supervisory Commission.
- (d) The Section introduces a curious duplication of functions between the Registrar-General and the ESC concerning the appointment and supervision of monitors. As a result, these provisions further compromise the effectiveness of the ESC in monitoring elections and the monitors' autonomy in carrying out their assigned role.

In fact, it presumes that the Registrar-General has a monopoly on expertise where electoral law and procedure is concerned. This is clearly not borne out by his performance and the experience of the electorate in the past twenty years.

- (e) Section 61(3)(a) to (c) of the Constitution of Zimbabwe as amended by Amendment No.14 of 1996 sets-out the functions of the Electoral Supervisory Commission.

On the other hand, Section 15 of the **Electoral Act** sets out the functions of the Registrar-General. It clearly states that in the exercise of his functions he shall not be subject to the direction or control of any person or authority other than the Election Directorate, but that he shall have regard to any report or recommendation of the ESC. The separateness of the functions of the ESC and those of the Registrar-General is embedded in both the Constitution and the Electoral Act. S.I. 161A of 2000 seeks to violate this separateness.

In terms of Section 14 of the Electoral Act (Chapter 2:01), the Registrar-General reports to the ESC and not vice-versa. Any reversal of roles in subordinate legislation, such as S.I. 161A of 2000 is manifestly **ultra vires** the Principal Act.

- (f) There is clearly a need to make a distinction between monitors and observers and their respective functions and/or powers. This must be linked to the duty of public officials to provide them with the information and other assistance they might require.

1.6 Observers

Section 4 of the Electoral Act sets out the functions of the Election Directorate (E.D). The E.D is the only body that can give the Registrar-General “Instructions” in regard to the exercise of his functions. It is also responsible for coordinating the activities of Ministries and

departments of Government, which are involved in the Election process.

Beyond these traditional roles the E.D is also generally empowered to ensure that elections are “conducted efficiently, properly, freely and fairly”.

Arguably, the E.D may in terms of existing laws legitimately assume the role of accrediting International observers. What is problematic is that the Registrar-General is a member of the E.D. As such, he in essence accredits his own judges. This is not desirable. It is not clear why this accreditation cannot be done by the Constitutional body responsible for supervising Elections (the ESC).

The ED is not a Constitutional body and it does not necessarily have to take over the accreditation function from the ESC. At most, the legislation should contain criteria for the accreditation of both monitors and observers. Such accreditation could then have been done by the ESC.

1.7 The Registrar General and Election Directorate

Section 4(2) of the Electoral Act provides for the establishment of an Election Directorate to co-ordinate the activities of all government organs and Ministries in relation to the electoral process. The Election Directorate appointed for the 2000 Parliamentary polls consisted of Dr Mariyawanda Nzuwah, who is also the Chairman of the Public Service Commission. The other members were the Commissioner of Police, the Registrar General and the Permanent Secretaries of Home Affairs; Justice, Legal and Parliamentary Affairs; Local Government; Public Service; Transport and Finance.

The Directorate is also the only body empowered to “give instructions and make recommendations to the Registrar General in regard to the exercise of his functions” (sections (4)(1) of this Act). The Directorate

has power to give directives to other persons in the employ of the state for the purpose of ensuring the efficient, free and fair conduct of elections. The Election Directorate is also given the responsibility of generally ensuring that elections are conducted efficiently, properly, freely and fairly.

The Electoral Act provides for the office of the Registrar General as the principal agency responsible for conducting all aspects of elections.

Chapter 2

Conditions of Free And Fair Elections

2. Overview of International Standards for Democratic Elections

The international standards for democratic elections are set out elsewhere in this report. (Appendix 1) “ What makes Elections Free and Fair?” by Jorgen Elklit and Palle Svensson *The Journal of Democracy, Vol. 8, No. 3, July 1997*) However, the standards which are set forth in all major human rights instruments hold that the authority to govern derives from the will of the people of a country and that their will must be demonstrated through genuinely democratic elections, conducted by equal suffrage and a secret ballot. Article 21 and 22 of the Universal Declaration of Rights provides that every citizen, has the right to participate in government directly, as well as through freely chosen representatives. This requires the opportunity, without political discrimination or unreasonable restriction to stand for office.

The formula to test whether elections are free and fair now is a well-established science both in the social sciences and in jurisprudence. The question as to whether the 2000 national elections were free and fair and the implications for democracy need to be considered at three levels; that is, the pre-election period, the campaigning and the actual voting period and the post-election period.

2.1 Assessing The Overall Freeness And Fairness Of The Election Before Polling Days Based On International Standards

2.2 Pre-Election Period

2.2.1 Politically Motivated Violence

The year 2000 Parliamentary elections were different from all the other elections in that opposition parties managed to re-cast the platform on which elections had always been contested in Zimbabwe. Besides a host of candidates from other political parties and independent contestants, the MDC fielded candidates in all the 120 constituencies there by doubling the stakes and gave the ruling party a serious challenge. The opposition parties accused the ZANU (PF) government of gross mismanagement of the economy and rampant corruption at the top, managed for the first time in two decades to force the elections to be fought on issues rather than personalities, as was the case in the all the previous elections.

High levels of violence, intolerance and intimidation marked the period leading to the parliamentary elections. The independent media covered a lot of incidences of politically motivated violence ranging from beatings to killings. Other forms of violence were of a psychological nature including intimidation of members of opposition parties, use of abusive language and generally instilling fear and despondency in them.

That this violence is linked to the ruling party's failure to secure a 'yes' vote in the referendum on a new constitution is clear. Soon after the people's verdict on the proposed constitution, a reign of terror was unleashed upon the people of Zimbabwe. Even though some media houses carried stories on the violence, information coming from rural areas on the scale of the violence indicated that a lot of cases of violence either were downplayed in their scale or just went unreported. A number of organisations have either collected evidence of this violence or are in the process of collecting this evidence. (Detailed reports are still being compiled).

The Political Violence Monitoring Subcommittee of the Network noted that at least 500 cases of severe injuries, 31 deaths and 70 abductions

have so far been recorded. This extensive violence it was reported, resulted in over 10000 peasant farm workers and rural based professionals fleeing from their villages. Although reports of violence were nation wide, the bulk of the cases were from Mashonaland West, East and Central, Midlands, Manicaland and Matebeleland South. Particular trouble areas were Rushinga, Mt. Darwin, Mutoko, Uzumba, Mutawatawa- Pfungwe (UMP), Murewa, Gokwe, Mberengwa, Bindura and Marondera. In some instances whole homesteads were burnt down and women were wantonly raped.

2.2.2 Freedom of Movement

From February 2000 there was extensive violation of this right. The entire outlying districts especially in Mashonaland Central, East and West, and certain parts of Midlands, Masvingo and Manicaland were closed off to any members suspected to be opposition party supporters. The presence of alleged war veterans on more than 1600 farms with a farm worker population of over 400 000, the occupations allowed for the intimidation of a large number of potential voters. It is reported that over 400 farm workers including some farmers were hospitalized and 2 400 cases of violence have been reported including about 1 500 death threats, most of them against farm workers and farmers have been reported.

It is reported that about 250 schools were closed and more than 6 000 teachers displaced by alleged war veterans on the grounds that some teachers supported opposition political parties.

2.2.3 Freedom of Assembly and Association

The pre-election environment was particularly difficult as opposition political party rallies and NGO activities were difficult to organize.. Severe force was used in the disruption of the rallies resulting in about 131 hospitalisations and 2 deaths. In the outlying districts opposition party supporters were assaulted. In Bindura the family of the candidate of the opposition party was attacked at their homestead resulting in the

death of a brother to the candidate. More than 500 homesteads of suspected opposition party sympathisers were destroyed throughout the country.

2.2.4 Freedom from Fear in Connection with the Election and Electoral Campaign

The pre-election period was characterized by utmost fear and anxiety on the part of all stakeholders. In Buhera North, two aides to the MDC leader Morgan Tsvangirai, Tichaona Chiminya and Talent Mabika died when their vehicle was petrol bombed by state security agents.

The MDC's candidate's home in Kwekwe was petrol bombed and he had to go into hiding until several days after the elections

Mandishona Mutyanda, the Ward Chairman for the Movement for Democratic Change in Kwekwe died after being severely assaulted by alleged ZANU(PF) supporters who were using a truck which is alleged to belong to the Minister of Justice, Legal and Parliamentary Affairs, Emmerson Mnangagwa who was also a candidate in that constituency.

In Masvingo an opposition candidate was severely assaulted by alleged war veterans and the elections were held while he was in a comma. In Mberengwa, alleged war veterans led by one Wilson Kufa Chitoro also known as Biggie Chitoro unleashed a wave of political violence. Chitoro together with his colleagues, Shadreck Makoni, Francis Ncube, Sam Kid Ganyau, Morgan Gumbo, Nhamoinesu Dziva and Elias Zhou on the 4th of June kidnapped three supporters of the Movement for Democratic Change and severely tortured them at Texas Range resulting in the death of Fainos Kufazvinei.

A total of 31 deaths in the period running up to the elections have been reported countrywide. Most of those killed were identified as being active in opposition political parties.

2.2.5 Other Impediments to Standing for Election

The pre-election period was not conducive to the holding of free and fair elections. Information on the delimitation exercise was only made available at a very late stage. The voters' roll was not immediately made available to all stakeholders and when it was finally made available the price was ridiculous. Efforts by the network to obtain the roll were fruitless as the Registrar-General's office would not entertain any overtures. Furthermore, this refusal to provide the roll was in contravention of Section 18.3 of the Electoral Act.

Information pertaining to the location of polling stations, transportation of ballot papers and security of ballot boxes was not made available or was only made available at late stages.

There were a number of late changes to the electoral law and process, which created confusion and caused significant delays in the operations of certain stakeholders.

2.2.6 Equal and Universal Suffrage

Over 6 000 teachers and close to 10 000 peasants were displaced from their constituencies because of the violence and it is reported that identity documents of close to 5 000 people were confiscated. The Registrar General on account of dual citizenship disenfranchised a large number of the Zimbabwean electorate. A large number of the electorate did not appear on both the voters roll and the supplementary voters roll on account of the problems encountered at the merging of the database. The time for the voter rolls inspection was inadequate and therefore a large number of people failed to inspect the roll. In Bulawayo, however the Minister of Home Affairs and an aspiring opposition candidate, David Coltart were allowed to vote even though their names did not appear on the roll. Yet most of the people who were on the supplementary roll were not allowed to vote on the first day even though they produced their receipts. This was later rectified but

the information was not publicized in time so these people could not go back and vote.

2.2.7 Freedom of Choice

It is reported that six opposition party candidates had to flee their constituencies and therefore could not effectively campaign.

It is alleged that the candidate of the ruling party in Chinhoyi, Phillip Chiyangwa started to issue loans to all registered voters who were ZANU (PF) supporters. In terms of the Electoral Act this constituted an act of corruption but no official action was taken against him. It is reported that in Mberengwa, the electorate was coerced into voting for one particular party.

2.2.8 Impartial Voter Education Programme

The voter education programme had initially been spearheaded by civic organizations. However from February 2000 when political violence erupted all over the country it became impossible for any meaningful voter education to be carried out. In most areas, the war veterans embarked on a programme of intimidation and propaganda campaign against the opposition political parties. Civic organizations conducting voter education programmes were prevented from going to the outlying districts in the country including some farms which were occupied by war veterans. There was no state sponsored voter education programmes.

2.2.9 Impartial Allotment of Public Funds to Political Parties

According to the Political Parties Finance Act, at the moment ZANU (PF) is the only party eligible to receive funding from the Treasury. The other opposition parties did not qualify for state funding. According to this Act the only parties eligible for state funding are those which have received five percent of the vote in the previous election. It is difficult for other parties to qualify because undemocratic practices have meant that in the last elections, only one other party was elected to parliament

with only 1.67% of the vote. Furthermore the parties giving ZANU-PF its biggest challenge, the Movement for Democratic Change and the Zimbabwe Union of Democrats were formed since the last elections.

2.2.10 Use of Government Facilities for Campaign Purposes

The ruling party used government facilities including vehicles, air force helicopters, civil servants, offices and funds for campaign purposes. During the election campaign cabinet ministers and the President used their government facilities and resources to openly campaign for their party. This was not the case with other political parties.

2.2.11 Transparent Electoral Process

A close analysis of the legal framework under which the 2000 parliamentary elections were held was replete with legal deficiencies, which caused a fair amount of confusion and anxiety among all stakeholders.

There is a general lack of transparency in that the law is silent on some very pertinent issues. For instance, the Electoral Act does not make reference to the issue of monitors nor observers of elections. This grave omission detracts from the clarity of the law. An example would be the controversial Statutory Instrument 161A of 2000 which sought to redefine the law and include provisions to regulate monitors and observers in elections. In terms of Section 157 of the Electoral Act, the Minister of Justice, Legal and Parliamentary Affairs has the prerogative to make regulations and amendments to such regulations. However, the Minister is restricted to the ambit of matters addressed in the Electoral Act and so, therefore, Statutory instrument 161A is in fact *ultra vires* the provisions of s157. The minister issuing the statement was himself a contestant thereby raising questions of impropriety and conflict of interest. This largely explains the shifting of goal posts and constant changes to the regulations.

The electorate has the right to know the ambit in which the law operates and the matters in which the Minister or President may regulate with justification. The Zimbabwean polity was generally unsure of the provisions of the law as the Executive demonstrated its ability to alter the electoral environment at its full discretion without justification to anyone.

The timing of the electoral changes added to the lack of clarity in the process. The changes left very little time for the adjustment to the environment and undermined the fairness of the process.

2.2.12 Impediments to Inclusion in the Electoral Register

In terms of Section 58 the Electoral Act states the necessary qualifications for registration as a voter and for voting in elections. The person must be a citizen of eighteen year or older and be a permanent resident. The law excludes:

- i) Any permanently mentally disordered or defective person as defined in the Mental Health Act, for so long as the person concerned remains mentally disordered or defective.
- ii) Any person whom the High Court declares to be incapable of managing his own affairs, for so long as the court order in question remains in force.
- iii) Any person who been convicted within or outside Zimbabwe of a criminal offence which, if committed in Zimbabwe, would attract a custodian sentence for a term of six months or more.
- iv) Any person who has been convicted of an offence under the Electoral Law and has been declared ineligible for registration as a voter or from voting

at any election by the High Court, for the period for which the court holds such person disqualified.

- v) Any person who is expelled from parliament for having been convicted of a criminal offence, for a period of five years from the date such person vacates the parliamentary seat.
- vi) Any person who for a continuous period of six months is the subject of a lawful preventive detention order, for the duration of his detention.

At law, therefore, the law is fair in its inclusion of citizens and permanent residents in the Voter's Roll. In practice, however, the system has neither been transparent nor fair.

During the registration, no cards or receipts were issued out to verify whether one had registered. Despite the calls for the Registrar General to update the Voter's Roll, on inspection, many found names of deceased person on the Roll. Further, many people had registered yet on inspection, they found their names missing on the Roll. Names have been mis-spelt and the wrong identification numbers have been attributed to some people. In some cases, people share the same identification number.

Limited funds, meant that on average few copies of the Voter's Roll were available per constituency and to the public, which effectively limited the ability of prospective voters to verify the Roll. Civic Society was denied access to purchase the voter' roll for inspection during the voter education meetings.

2.2.13 Impartial Treatment Of Candidates By The Police, The Army And The Courts of Law.

There were incidences of political violence across the country and the police force was deployed throughout the country. However, the police did not actively make efforts to stop the disturbances as the police interpreted the incidences as political matters. This reluctance of the police to control political violence to the ruling party. It would also be misleading to argue that the police did not address any of the incidences of violence. However, it is the responsibility of the police to maintain law and order in society and to maintain an atmosphere of peace and calm regardless of the cause of violence. The police, therefore, undermined the fairness of the electoral process by adopting such a lax attitude.

Chapter 3

Gender Dimensions Of Free And Fair Elections

3. Gender Dimensions of Free and Fair Elections

There are no overt legal or constitutional constraints to the participation of women in politics; to stand for public office or to campaign for a particular cause.

The barriers to women's participation in elections are ordinarily attributed to custom and culture. Women's roles are generally confined to the home where they are involved in caring and looking after the family. Politics has generally remained a male preserve and therefore women in politics may not receive the necessary family and public support. In the just ended election this position was worsened by pre-poll political violence.

In order to ensure gender equality in free and fair elections certain pre-conditions must prevail. Political rights and freedoms should only be subject to limitations justifiable in an open, free and fair society. Citizenship must be defined so as to establish equality for women in relation to political, economic, social and cultural spheres.

The institutional framework that administers and manages elections must employ women at all levels of its operations. Furthermore, the state must exhibit greater vigilance in dealing with incidents of violence in those constituencies, which have a high concentration of women.

In the just ended poll, very little effort was made to encourage women's participation by combating gender-based politically motivated violence. The dereliction of duty by the police discouraged many potential

women candidates and diminished chances of those women who were not willing to engage in violent political campaigns.

There must be a clear criterion in the registration of voters and this must equally guarantee the right to vote to women and men.

Women should have the right to present themselves as candidates for election and to be included in the structures that formulate party lists and choose election candidates. The electoral system should facilitate the electoral success of women.

The state must ensure that through national programmes of civic and voter education, the electorate becomes familiar with gender equality as crucial to electoral issues and procedures. Such programmes must emphasize women's participation as critical to gender equality as central to electoral issues and procedures. These programmes should impress the right of women to seek, receive and impart information and to make an informed electoral choice. The programmes should also emphasise the secrecy of the ballot.

3.1 Gender Considerations of Election 2000

Women had sufficient time to cast their vote. However some polling stations were not open for the full duration of the stipulated time. Reasons cited include the absence of the voter's roll, in some instances, the failure of the electrical power caused the early closure of some stations.

There was much pre-election violence to intimidate the electorate into voting for a particular party or candidate. This severely hampered many women from voting without fear or prejudice. One of the main areas of concern was the large number of women who were raped in the run up to the election. Some were raped during farm invasions while some were raped for belonging to opposition parties. It is

particularly difficult to compile figures given that many women find it difficult to talk about rape and also that historically authorities have tended not to ascribe to rape the significance that it deserves particularly in situations of violence as those characterising the elections.

Given the deep and long-term negative psychological effect that rape has and given the fact that many women will not report their rapes and therefore suffer in silence, the long term impact of these rapes on women as voters and as political actors cannot be underestimated. It is recommended that intensive studies be made of the incidence of rape during Election 2000 be made and where possible measures be taken to repair the damage. One way would be to counsel the victims.

Some voting stations were placed in remote areas and therefore access was limited. Not all polling stations were accessible due to escalating levels of violence in the pre-election period. Further, not all polling stations were effectively advertised, and this caused congestion at others. This deterred many voters who were not prepared to queue.

The secrecy of the vote was generally respected and both men and women were allowed to vote in secret. Errors of the voter's roll disenfranchised many and many voters' names did not appear in the supplementary voters' roll.

There was also an insufficient number of women as officials.

Chapter 4

The Specifics Of The Year 2000 Elections

4. The Specifics Of The Year 2000 Elections

4.1 Campaigning

The 2000 Parliamentary Elections were characterized by heavy campaigning. The environment for electoral competition in the run up to the elections was full of paranoia, mistrust, suspicion and acute political polarization between and amongst the parties. This was deepened by the intensification of violence after the February 2000 referendum.

The most outward sign of a peaceful and democratic decision on the exercise of power is elections. By casting ballots without duress, the population can decide by majority vote who should hold power and whether rulers should stay or go. Elections confer legitimacy and should, therefore, be held in an atmosphere that is conducive to maximum freedom of opinion, freedom of association, freedom of assembly and movement.

4.2 The Media

The reports and all available evidence from the state-owned publications, "The Herald" and "The Sunday Mail" and also the state controlled Zimbabwe Broadcasting Corporation; clearly show that the Government, in a subversion of its national and international obligations, publicly identified opposition candidates and their supporters as the enemy or traitors and sell-outs. A barrage of racist abuse was used to whip up hatred against the opposition parties. The government did not condemn political violence and intimidation. During the period the state controlled media failed to give equal media access

to all contesting parties and civic organisations. According to the Media Monitoring project ninety percent of media coverage focused on ZANU-PF. Civic organizations were refused permission to conduct voter education using media even with available resources to buy air-time.

The biased reporting referred to above denied especially the rural voters, access to objective information to enable them to make informed choices. It is, therefore, recommended that state media reporting during the election period should be balanced, fair and objective. The right of rebuttal should always be accorded to parties against whom serious accusations are made.

There must as far as reasonably practical be equal access and coverage of all political parties by the state media.

4.3 Role of Civic Society

Civic society, defined as those organizations outside of government, which lobby for specific group interests as well as ordinary civilians can be construed as having played significant roles within the following areas;

- a) Before the elections
- b) In the run up to the election
- c) Assistance of victims of political Violence

In the period before elections, civil society was strong and vocal in its criticisms of the standing Constitution of Zimbabwe together with the constitution and the constitutional reform process that the ruling government was pursuing through the Constitutional Commission established by the President. It is within this setting that the civic movement, which has since proven important in the general politics of Zimbabwean society by raising political consciousness, facilitated a culture of critical political discourse. Civic society had clearly shown its importance within the polity of Zimbabwe. Most Civic Society Organizations also organized non-violence activities where they advocated for an end to political violence.

In the run up to the elections civic society embarked on voter education campaigns, some with a specific gender bias. The Women's coalition openly campaigned for the voting of women into parliament regardless of political affiliation. There was also the intensive training of election monitors and voter education by civil society organisations directly and under the banner of the Zimbabwe Election Support Network.

Civil society also maintained political discourse even in the light of the political violence. These public meetings served as important platforms for the formulation as well assessment of public opinion in a period where politics was life threatening due to the violence.

Civic society organisations set up political violence victim support programmes to assist political refugees with accommodation, food and other amenities. One Church leader in Manicaland declared that churches under his control in the province be used as sanctuaries for the victims of political violence in the province.

The Civic organizations showed no partisanship towards the opposition or ruling party. It is important that Civic society in its organizational form maintained neutrality and its impartiality if its role is to be respected.

4.4 Accreditation of Monitors

The Government of Zimbabwe made it very difficult for accreditation to take place on time because it kept changing regulations for the operations and deployment of monitors. This ambivalence on the part of government created uncertainty and further delayed a process of accreditation already running late. Due to changes in the regulations, the accreditation of monitors was mired in confusion. Initially the figure was six monitors per polling station bringing the total figure to twenty four thousand for the four thousand polling stations. Initially changes reduced this global figure to four thousand monitors before this was finally increased to eight thousand at two per polling station. This was

further finally increased to 16 000. The actual accreditation was a nightmare as there was a need to reduce the final figure from 24 000 to 16 000. This resulted in serious problems for the Network and its compilation of the database. The Accreditation office requested names in different formats resulting in confusion and duplication of names.

When the process of accreditation started, the Network offered to help sort names for accreditation in order to expedite the process. The government turned down the offer. When it became clear that the process would not be completed in time for the polling dates, government decided to take up civic groups' offer to help. The accreditation cards eventually came late which was difficulty to distribute in time to all monitors before the actual voting process began. As a result when the voting process began some polling stations had no monitors inside since they were denied entry without the accreditation cards.

4.5 Accreditation of Observers

The network's liaison desk received 19 communications from various international agencies and organizations. who were denied accreditation for various reasons. Twelve of these communications stated that by refusing to accredit some organizations and nationals from particular countries, the Zimbabwean government created the unfortunate impression that its electoral process was opaque and open to manipulation contrary to the UN Resolution's requirements.

4.6 Rule of Law

The Government severely compromised law enforcement agencies and deliberately failed to uphold the rule of law. Government agencies were extremely partisan in their conduct of their duties. The levels of violence and intimidation made the outlying districts no-go areas for civic society organisation

4.7 Violence

On May 10, 2000 the Electoral Supervisory Commission issued a press statement stating that it was greatly concerned with the "spate of political violence and intimidation that had characterized the pre-election period. The Presbytery Church of Zimbabwe on May 17, 2000 issued a public statement in which they called upon all political parties "to desist from all public pronouncements that encourage violence." The Business Leaders Forum also published a statement in which they expressed their concern about the "general breakdown of law and order in the country caused by politically motivated violence". The Lutheran Church also issued a statement.

It would be a gross dereliction of duty for an institution or authority to try to gloss over the pre-election violence or to underplay the pre-election violence. All the reports received by the network have some mention of violence and intimidation. Politically motivated violence is unacceptable and is not conducive to free and fair elections.

On June 20, 2000 the Political Violence Monitoring Project produced its preliminary report based on a detailed study of violence in some provinces of the country. Attached to this report.

The reports make the following conclusions:

"It can certainly be said that the evidence from Mashonaland Central and Mashonaland East strongly points to a planned campaign of organized violence. Ruling party officials and some state organs have given active support to this campaign of organized violence. The victims of this campaign were members of various political parties and anyone perceived to be supporting or potentially supporting opposition to the ruling party. The violence used has included killings, torture, rape, assaults, mass psychological terror, death threats and intimidation and destruction of property. The effects of this violence will be felt for a considerable time to come in the Zimbabwean society."

Various other bodies such as Amnesty International and the International Rehabilitation Council for Torture have reached similar conclusions about the pre-election violence in Zimbabwe.

In many areas the violence prevented political campaigning and the climate of mass fear created by the violence prevented people from exercising free choice at the ballot box. In the network's opinion the concept of free and fair election refers to a process rather than an event.

Many of the situational reports received from the monitors on the ground seem to indicate that as polls opened on the first and second day of polling only a few isolated incidents of violence occurred at the polling stations themselves.

An analysis of the poll results indicates that the ruling party obtained its highest votes in those constituencies where its supporters carried out terror campaigns. There are indications also that some polling stations and in particular mobile polling stations were situated at well-known war veterans' bases.

Chapter 5

Polling Period

5. Poling Period

5.1 Location of Polling stations

Reports from monitors in non-rural constituencies indicate that the polling stations were easily accessible to the majority of the population. In some instances, however, polling stations were not well advertised resulting in the heavy concentration of voters at some particular polling stations, as compared to others.

In some rural constituencies, reports indicate that some voters had to walk great distances in order to access polling stations. Therefore, the elderly, the sick and the disabled were effectively disenfranchised by this fact. In some cases, voters were turned away as they went to wrong constituencies.

The location of the polling stations at schools, clinics, social clubs and other places of public utility were good and generally well received by the electorate. However, a number of reports indicate that the location of some polling stations at sites near the army, police or other such government offices actually caused psychological distress and anxiety to some voters especially in those areas where they had been widespread pre-poll violence.

In Gokwe, an attempt made by war veterans to set up their base next to a polling station was stopped through the intervention of the police. The attempt itself constituted a violation of the Electoral Act and prosecutions ought to have been instituted.

5.2 Monitoring of Mobile Polling Stations

Communications received at the Command Center indicate that the monitoring of mobile stations was difficult. Some mobile stations were based on commercial farms under the control of invading war veterans, which perpetuated the intimidation and terror campaign on farm workers and may have affected their voting process. Some of the mobile stations in the outlying areas did not have any monitors. This does not guarantee the integrity of the ballot papers that were finally submitted from such mobile stations.

5.3 Ballot boxes

A few problems were encountered in respect of the type of ballot boxes, which are currently in use for polls. The ballot boxes are not transparent and this may encourage electoral fraud and the switching of ballot boxes. The ballot boxes are made of thin plywood, which easily breaks during transportation. The network received reports from one of the polling stations of ballot boxes that have been rendered useless because of breakage.

In reforming the electoral process the authorities should come up with innovative ideas like the introduction of the transparent ballot box.

5.4 Ballot Papers

The ballot papers did not contain consistent information in relation to all the parties. The space provided for photographs for all the opposition was left blank. The Network received a number of complaints in relation to this anomaly. Information from voters indicates that some of them especially the illiterate found the blank spaces confusing and had to ask for help from the polling authorities. Other voters complained that they might have spoiled their votes by affixing the X in the space meant for the photograph.

5.5 Processing of voters

Zimbabwe is experienced in the holding of elections. The administrative and technical staff responsible for the elections has demonstrated their abilities during the previous elections the country held.

All the reports underline the fact that the elections encountered extraordinary logistical problems created in part by the massive voter turnout. The officials were inundated and the electoral paraphernalia like the indelible ink were sometimes in short supply. The fact that no major incidents occurred should be credited to the extraordinary patience of voters, some of whom queued for long hours before they could cast their votes. The time it took for each voter to undergo the formalities, the checking for one's name on the voter's rolls, identification, etc, in some instances took an inordinate length of time.

All data from the monitors all over the country generally showed that the election officials, the registrars and presiding officers seemed to have a clear understanding of all the voting procedures, that generally voters were able to move through all the steps of the voting procedures, and that those voters who requested assistance were helped in a non-partisan manner. The reports also show that attempts to tamper with voting materials, equipment or records occurred only in a few isolated instances.

5.6 Transporting of ballot boxes

In some cases most monitors were not allowed to witness the closing of ballot boxes and their transportation to the counting centres.

5.7 Voting and Counting

A superficial analysis of the situation tends to show the voting as calm and well organised. The electorate turned out in full force. There seemed to no major incidents.

For the purposes of this report the voting has been analyzed province by province. The reports from the provinces clearly show that while voting appeared orderly and calm in some areas, that was not the case in outlying areas of the (1) Midlands, (2) Mashonaland Central (3) Mashonaland West and (4) Mashonaland East. Reports from the monitors indicate that most of the monitors were denied access to or chased away from the polling station by alleged war veterans.

However while the actual voting appeared calm and would have gone very well, the voting days proved to be nightmares for monitors. The Registrar-General had initially approved the use of two accreditation cards by local monitors that is a green card issued by the ESC and a white plastic one from the Election Directorate.

Almost all the monitors had the ESC green accreditation card. A few hours after the polls opened instructions were given to turn away and deny access to polling station to all those monitors who had the green cards. The Polling Officials indicated they would only recognize those accreditation cards that were signed by Mr Jonga - a senior official in the Election Directorate.

As a result many monitors were turned away leaving polling stations unattended. The communications received from all over the country indicate that this problem was widespread. Three thousand reports show some harassment or obstruction of monitors in the performance of their duty. In Chegutu, for example, a Supervisor distributing green accreditation cards was arrested while driving a car with a European Union sticker. The accreditation cards in question were valid and proper. The Supervisor was detained and is now on remand. In Chitungwiza a monitor was arrested for allegedly canvassing for votes. The accreditation card in question was valid and proper. The network received a number of communications from constituency registrars, presiding officers and other electoral officers on the conduct of some

monitors. In Harare South Constituency a monitor reported for duty while in a state of drunkenness

The Network proved two reports of abductions of monitors in Mbare East and Zvimba to be false. The network's field officers filed communications stating that some monitors had no clear idea of the provisions of the electoral laws and legal procedures of voting and that it is also questionable whether they could really play the role of legal watchdogs

In Zvimba, the ZANU (PF) candidate is alleged to have used his armed bodyguards to chase away monitors from a polling station. In Mbare another ZANU(PF) candidate threatened monitors with physical harm for no apparent reason. In Mutoko it is reported that a war-veteran who had been involved in the pre-election violence campaigns was actually a polling official during the elections.

5.8 Announcement of Election Results

The Registrar- General and the Election Directorate did not handle information relating to the counting of votes in a timeous manner. The Registrar- General initially announced that counting of votes would begin at 8 p.m. after the end of polling and the closure of the polling stations. However he later changed this to 8 a.m. on the following morning. The reason he gave was that more people than expected had voted.

This problem with this is that firstly, during the twelve hours between the end of polling and the beginning of counting, the ballot boxes were open to manipulation. Secondly as the officer in charge of the process of collating the ballots and cognisant of the interest that this particular election had aroused in the population, the Registrar- General should have been and should always be prepared for a 100% turnout of voters.

The announcement of the results on national and international TV exhibited a degree of bureaucracy, which should not be displayed by such a high office.

5.9 Spoilt Ballot Papers

The Registrar-General did not announce the number of spoilt papers in any of the 120 common roll constituencies. This in itself was an irregularity given the fact that in some constituencies, the results were very close and could result in post-election litigation.

5.10 Election Results

The summary of the declared results on 27 June 2000 is as follows:

ZANU PF	62 seats
MDC	57 seats
ZANU NDONGA	1 seat

Refer to the appendix attached for a detailed report

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Chapter 6

Provincial Breakdown of Reports

6. Provincial Breakdown Of Reports Received By The National Command Centre During Polling And Counting 24-27 June 2000.

A consolidated report from provincial, district and polling stations situational report for the Parliamentary Elections, 24 - 25 June 2000.

6.1 Introduction

Political violence in the period preceding the Parliamentary Elections of June 2000 in Zimbabwe resulted in 31 deaths, over 100 injuries, substantial damage to property and nearly 6000 reported violations of Human Rights violations. The most affected areas were Mberengwa East and West constituencies, Mashonaland Central, West and East provinces and Mwenezi district in Masvingo. This created an atmosphere of fear and anxiety undermining the little trust that many Zimbabweans hold over the integrity of the electoral process. When polling opened on 24 June 2000, moods were pessimistic on the prospect of a free and fair election. While actual polling itself was relatively peaceful, it was clear that pre-election abuse of the electorate's rights had had a significant impact on the freeness and fairness of the elections.

6.2 General overview of voting period

Voting opened countrywide on the morning of 24 June 2000 with a high voter turnout and relative peace. Despite this, the election was marred by enormous logistical problems and poor co-ordination within state agents responsible for the administration of the elections. Of the 24 000 monitors the network had trained, less than 8000 had been accredited by the end of the first day of elections. The logistical problems that existed within state organs also had a marked effect on

the administration of the electoral process. By the end of polling on the first day, most monitors had not been accredited and were still being turned away even on the final day of elections. As a result, the monitoring was sparse and ineffective.

Most monitors were thus turned away from polling stations for lack of proper accreditation or barred by war veterans and ZANU-PF supporters on the allegation that they were agents of the Movement for Democratic Change. While the voting process was relatively peaceful, monitoring was minimal and at best ineffective. There were sporadic reports of violence and intimidation in certain constituencies and these arguably influenced the outcome of the elections at source. The provincial reports are summarised below.

6.3 Harare- Chitungwiza Province

A significant number of residents of this province turned up to vote on both days of polling. This was a marked departure from the apathy that has characterized Zimbabwean elections in the last two decades. No incidences of violence were reported during polling and voting proceeded peacefully.

Despite this massive voter turnout, some voters were turned away from polling stations.

The major complaint from the voters was that their names did not appear on the voters' roll despite having previously registered. A rough survey indicated that most of the voters turned away were young. It is suspected that responsible state organs may have deliberately omitted their inclusion on the premise that young voters constituted the main support base for the opposition Movement for Democratic Change. In the end, this did not have a significant bearing on the outcome of the elections, but more worrying was the complicity of the officials who were reportedly reluctant to entertain complaints.

There was a power blackout in Chitungwiza at around 1700hrs (2 hours before the polling stations closed) and the polling stations had to be closed. This was done without monitors being afforded the opportunity to check the ballot boxes. The Network was informed that monitors were asked to leave and the ballot boxes remained unattended. This undermined effective monitoring and created an opportunity for rigging.

The formalities of completing the whole voting process were inordinately long and many people waited for hours before they could vote. At the close of the polls on 24 June 2000, queues were still long and many people went away without voting.

Candidates generally respected the electoral law and regulations. Exceptions occurred in Mbare East and Harare South constituencies where Tony Gara and Vivian Mwashita reportedly campaigned inside the hundred-metre radius of the polling stations. These two candidates also antagonised monitors by barring them from polling stations. These and other incidences served to compromise the integrity of otherwise peaceful elections.

6.4 Midlands Province

Midlands Province recorded numerous violations of electoral standards. This included war veterans in Mberengwa, Gokwe and Zvishavane constituencies preventing those suspected of supporting the opposition parties from voting; intimidating and assaulting opponents.

Fewer problems of violence were encountered on both days of polling than during the pre-election period. Pre-election violence and intimidation had created an atmosphere of fear and anxiety and

restricted electoral freedoms. The tense situation was not helped by the presence of groups of war veterans at polling stations to further intimidate the voters. The abilities of opposition party members to campaign freely in their constituencies were also severely restricted. Also significant in affecting the voters' freewill was the fear of recriminations in the event of loss of the election by the ruling party.

The problem of monitoring was not unique to the Harare-Chitungwiza province alone. In Midlands, besides the lack of proper accreditation, some members of the ruling party and war veterans barred monitors from polling stations. The apparent neutrality of monitors was ignored as most monitors were accused of being agents of opposition parties. Such antagonisms resulted in most monitors being assaulted while polling agents for Sekai Holland in Mberengwa were abducted. Reliable sources informed our office that they were abducted by the war veterans and ruling party supporters in circumstances similar to the abduction of MDC polling agents by Biggie Chitoro outside Mnene hospital in Mberengwa West a day earlier.

In Gweru central, either ZANU-PF officials or alleged war veterans prevented most of monitors from carrying out their duties. In Mkoba Township, Fredrick Shava the ruling party candidate chased the monitors from the polling stations. A number of assaults took place within the polling stations and the police were reluctant to take any action against the perpetrators of the violence. Monitoring of elections in this province was as a result sparse and ineffective and created opportunities for rigging.

6.5 Matebeleland Region

This region was not excluded from the wave of pre-election violence and intimidation that swept across the country. There was always the heavy presence of the police and the army during campaign rallies and this intimidated the electorate by serving as a reminder of the massacres that occurred during the Gukurahundi period when a state

sponsored reign of terror was launched against the people of Matebeleland.

Despite this, voters turned out in huge numbers on both polling days. The voting itself was relatively peaceful save for when war veterans and ZANU PF supporters abducted four monitors who still could not be located at the end of the first day.

Logistical problems were also encountered in the province. Monitors were turned away from polling stations on the grounds that they were not properly accredited. This resulted in ineffective monitoring.

6.6 Mashonaland West Province

Violence and intimidation again took center stage in pre-election campaigns. Villagers and farm workers lived in a state of fear and could not be accessed by opposition political parties and independent observers. The same situation obtained during the elections thus restricting rights of free expression, assembly, movement and political choice. The abilities of opposition political parties to campaign openly and freely were also compromised.

Voter turnout was high but monitoring was ineffective and most election monitors were turned away from polling stations for lack of proper accreditation. At Mburungwe Primary School monitors were allowed into polling stations for less than 10 minutes each hour. In Zvimba North Constituency monitoring had to be discontinued as monitors were accused of being MDC agents and chased away from polling stations. Over 50 local election monitors failed to supervise elections in Chegutu because they did not accreditation cards. The supervisor responsible for distribution of the accreditation cards was arrested before he had managed to distribute them. The matter is pending before the courts. Reports from Raffingora indicate that monitors were attacked and their clothing torn by ZANU(PF) supporters. The net

effect of these incidences was to make monitoring unsafe and ineffective.

6.7 Mashonaland Central Province

This Province was the centre of the worst intimidation and violence in the period running up to the elections. The farms in the Province were inaccessible to both the opposition political parties and independent observers. In addition to violence being instigated on opposition party members by war veterans and members of the ruling party, candidates of the opposition parties were unable to campaign in their respective constituencies.

On the first day of voting, election monitors were turned away from virtually all polling stations on the ground that they were not properly accredited. A number of polling stations did not have any monitors at all because they were either denied access to the polling stations or were turned away by polling officers and ZANU PF officials. At the close of the polls, no monitors in the province were effectively supervising the ballot boxes essentially because of obstruction by polling officials and ZANU PF officials. As a result, there was ineffective monitoring thus creating an opportunity for rigging. Questions were also raised in relation to external votes mainly in the form of postal votes from the DRC as they also raised the possibility of rigging of election.

War veterans denied farm workers access to polling stations except on production of ZANU PF cards. At Chatsworth Resettlement School ZANU PF supporters and war veterans only allowed holders of ZANU PF cards to vote. The ZANU PF officials and the governor of the province, Border Gezi, flouted provisions of the Electoral Act by campaigning within 100 metres of the polling stations.

The intensified violence in Rushinga and Mt Darwin created an atmosphere of fear and violence within the electorate. This raised the

spectre of recriminations in the event of a loss by the ruling party and thus made it difficult for the electorate to vote freely.

6.8 Manicaland Province

This province also recorded a high turnout of voters during the election. There were no reports of violence although the presence of members of the Central Intelligence Organisation served to intimidate the electorate.

Manicaland experienced the worst logistical problems resulting in the delay of the conduct of the elections at some polling stations. In Mutare Central constituency voting opened with polling stations having the wrong voters roll. Most of the monitors could not perform their duties because they were turned away. This compromised the integrity of the electoral process.

6.9 Masvingo Province

This province has always been regarded as the stronghold of ZANU-PF and opposition activity was minimal in the run up to the election. Pre-election incidences of violence were few with Mwenezi recording the worst violence. Opposition candidates and party members were victim to intimidation by war veterans and senior members of the ruling party.

On the Election Day, violence erupted in Masvingo with approximately 300 ZANU-PF supporters attacking an MDC candidate. The MDC candidate was injured to the extent of being admitted into the Intensive care unit at the provincial hospital.

Voting however continued but monitoring was ineffective as monitors were turned away on the ground that there were not properly accredited.

6.10 Mashonaland East Province

This province received more than its fair share of pre-election violence. Two commercial farmers were murdered with many people sustaining serious injuries from beatings by ZANU – PF supporters and war veterans. The so-called reorientation meetings took place on most commercial farms and in communal areas and these being carried out by ZANU-PF supporters.

Some villagers from Mudzi, Mtoko, Uzumba Maramba Pfungwe and Goromonzi abandoned their homes to seek refuge in Harare because of the violence and intimidation before the elections. Reports of rape, arson, torture, destruction of property and intimidation were received.

The voting period was quiet and people were prepared to vote as evidenced by the long queues on the first day of polling. The monitoring of elections was not effective, as monitors were not accredited in time, which also delayed deployment. Some monitors were barred from observing the election process because they were not accredited and because there were more than one monitor per station. Voters could not make such use of mobile polling stations as these were not made public until the 23rd of June 2000. Some ended up walking to stations some of which were as far as 15kms away.

Tension prevailed during the voting days, which made people vote in an atmosphere of fear and certainty.

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Post Election Period

7. Post Election Period

The national command centre remained open for 12 hours after the announcement of results. Fourteen reports received from outlying areas contained disturbing accounts of violence.

In Mudzi, Uzumba Maramba Pfungwe, Mt Darwin, and Mberengwa, evictions and displacements of those suspected of having voted for Movement for Democratic Change continue. Farm workers and farmers are still being prevented from doing their work by marauding ZANU –PF supporters. Public statements from the highest authorities still indicate that the rule of law will not be observed at all. The police have not shown an indication as to whether or not they are going to perform their duties. Tension and anxiety still remain high.

The period following the announcements of results has been generally peaceful. Levels of violence have decreased from the peaks they achieved before the actual election days. Fears of mass anarchy and a breakdown in law and order appear to have been on the whole largely unfounded.

The leaders of the two main contestants in the election have on the whole accepted the election results although the Movement for Democratic Change has announced that it will contest the results in twenty of the constituencies where they lost to ZANU-PF. The president in his post-election address to the nation delivered a conciliatory message of reconciliation, which appears to have been accepted by the majority of the population. However there are still some worrying aspects to the election story that are a cause for concern.

In the twelve hours that the National Command Centre remained open after the announcement of results, fourteen reports were received from outlying areas of Zimbabwe. These reports contained disturbing accounts of violence. . In Mudzi, Uzumba Maramba Pfungwe, evictions and displacements of those suspected of having voted for the opposition continue. Farm workers and farmers are still being prevented from doing their work. The authorities in particular the police have maintained that they will revert to their traditional duties of restoring and maintaining law and order but given that in the pre-election period, words such as these were not accompanied by substantive action, it is unclear if these words will restore public confidence in the police's capacity to deal with political violence.

This is compounded by the fact in certain urban areas, most notably Mabvuku, Dzivaresekwa and Kwekwe the police has been accused together with the army of "unleashing a post-election reign of terror" by beating up and terrorizing citizens as part of their attempt to maintain law and order. Such allegations whether unfounded or not do not serve to increase the public's already dented confidence in the law enforcement agencies.

Indeed it is clear that while reports of violence itself have been reduced, the effect of the pre-election violence can still be felt. Generally an air of uncertainty is in the air as people still remember the trauma caused by the beatings and terror in the pre –election period. One glaring example of this is the report that the winning candidate for Kwekwe constituency who was a victim of pre-election violence was still in hiding several days after the announcements of the results. Furthermore, there are reports that in Kariba fighting has broken out between supporters of ZANU-PF and the MDC. This has a negative effect on public confidence in the system and may create the impression that the groups have not accepted the results of the elections. It also clearly shows that the groups remain antagonistic

towards each other and raises questions about the prospects for a future peaceful coexistence.

In Mashonaland East, war veterans and ZANU-PF supporters are reported to have instructed farmers that if they did not leave their farms by a given date, they would be faced with hit squads. A similar pattern of intimidation has occurred in Mashonaland Central, scene of some of the worst incidents of pre-election violence.

The leadership of these groups has not come up with any comments condemning the violence giving the impression that the situation will remain as it was before the election. Another issue, which is of concern to the public in the immediate post election period, is the composition of the new government. Remarks by the leaders of MDC and ZANU-PF give the impression that the government soon to be appointed by the President will not be a government of national unity. Given the fact that one of the key demands before the election was that there be change in the way the country was governed it is now unclear how the populace will react to the scenario that they are presented with.

It is still too early to tell exactly what the post-election scenario in Zimbabwe will be but what is clear is that violence before the elections had a negative effect on the Zimbabwean polity which will take a long time to be corrected. Further outbreaks of violence will further reduce the people's confidence in the system.

Chapter 8

Observations And Recommendations

8. Observations And Recommendations

The situation in Zimbabwe will not be solved by superficial attempts to gloss over it hoping that things will return to normal. The lesson of the Sibylline Books - recognition that the art of problem solving consists in working out timely solutions and *before* a problem situation has become pathological and politically out of hand - is something that we in Zimbabwe need to relearn. Those in highest authority (the President) should also accept that there is need to find peaceful solution in the spirit of moderation and not using one's power in too absolutist a way in every available problem situation, irrespective of its social value in long-range historical terms. There is also a need to learn how to utilise community-based non-formal methods of conflict resolution as means of preventing, managing, mitigating and avoiding politically related conflict.

There is undoubtedly always space for mediation, arbitration, conciliation and negotiation even during the otherwise competitive election period. This space and window of opportunity should be taken advantage of.

8.1 Ending Political Violence

High levels of violence, intimidation and coercion marred the election campaigns. An assessment of the violence and intimidation since February 2000 has been made by a number of non-governmental organisations and international missions (Reports being compiled). The level of violence and intimidation affected the ability of opposition parties to effectively campaign in most rural areas in Mashonaland

Central, East and West. In many rural areas, the level of intimidation and violence is still so intense as to make it virtually impossible for thousands of displaced peasants to return to their homes.

Zimbabwe has a long history of impunity for human rights violations. In the past impunity has led to further violations. The time has now come for Zimbabwe to put an end to criminal political behaviour, especially during elections.

8.1.1 Recommendations

ZESN calls for the speedy setting-up of an independent international commission to investigate the questions of pre-election violence and to ensure that our national courts or an ad hoc United Nations Criminal Court either tries those who are responsible.

8.2 Reforming the Electoral Management and Administration

Consultations carried out by the Constitutional Commission and the National Constitutional Assembly in the run-up to the February Referendum clearly demonstrate a country-wide lack of confidence in the office of the Registrar General and its partiality, with regards to the electoral process.

8.2.1 Recommendations

There have been concerted calls for the establishment of an independent Electoral Commission to be wholly responsible for the entire electoral process.

The network wishes to lend its voice to these calls as a way of guaranteeing the integrity of national elections.

The present Electoral Supervisory Commission should be established as a permanent full-time independent and autonomous electoral body. This body should be adequately funded and would be the only organ overallly responsible for handling all aspects that pertain to elections,

electoral processes and electoral law. The ESC should have the power to determine all technical preparations for the elections including production of the Voters' Roll, ballot production, distribution and security measures, as well as voting, transportation of ballot boxes, counting and announcement of results. The ESC should also formulate a code of conduct for all stakeholders, mechanisms for inter-party dialogue, a participatory delimitation process and early accreditation procedures.

8.3 Ensuring Access for Civil Society and International Election

Observers

As already pointed out elsewhere in this report the obligations of monitors and international observers to carry out their duty is now a normative principle of international law. Monitoring and observation of elections requires access to all aspects of the process in the pre-election and post-poll period. International observers contribute to the integrity of the process and to enhanced public confidence. Domestic Civic society monitors morally legitimise the process and contribute to its ownership by the people.

8.3.1 Recommendation

The participation of monitors and international observers should be clearly articulated by the recommended independent electoral body. The Independent Electoral body should take full responsibility for the training and accreditation of all monitors and observers on the basis of a pre-determined and agreed up criterion.

8.4 General Conclusions And Recommendations

The ultimate analysis of above information confirms that although the June 2000 Parliamentary elections were successful, it is difficult to declare them free and fair because of the pre-election violence. The specific conclusions and recommendations arising from the monitoring of the election are as follows:

8.4.1 Voter Registration

- (a) The registration process was relatively smooth, despite the well-acknowledged problems of limited time and lack of voter registration cards. Unlike in previous elections voter enthusiasm was a lot higher for this election, necessitating an extension of the registration deadline by a further 30 days. The state must be commended for taking what was obviously the reasonable step in the circumstances.

What helped the voter registration process to be successful were the following factors:

- (i) The wide interest generated by the February 2000 Constitutional Referendum and related publicity campaigns by both the Constitutional Commission and the National Constitutional Assembly;
- (ii) The door to door Voter Registration Campaigns carried out by the Registrar General's office;
- (iii) Accessible and well publicised voter registration points; and
- (iv) Complimentary campaigns by political parties and civil society groups encouraging voters to register to vote in the parliamentary elections.

This fact notwithstanding, it is recommended that the following be addressed:

- (i) Compilation of the voters roll should be strictly monitored and efforts should be made to ensure that the final roll is as accurate as possible;

- (ii) All voters should be issued with voter registration certificates, with serial numbers and official stamps; this comes handy in the event of omissions or other anomalies on polling day.
- (iii) A roll for all postal voters should be compiled and open for inspection along with the ordinary voters roll.
- (iv) The Inspection period should be extended from 14 days to at least 30 days. There should also be more inspection centres. The possibility of mobile inspection centres should be looked into seriously; and
- (v) There should be a further opportunity to inspect the supplementary voters roll, before the actual poll, but after the initial inspection period.
- (vi) Closer liaison between the ESC, the Registrar General's office, Civil Society and Political Parties is necessary to speed up or facilitate the registration process.
- (vii) The training given to registration personnel should be as comprehensive and focused as possible. This will help prevent problems such as the loss of registration forms.
- (viii) Voter education must be intensified, well targeted and should continue during non-election years. This will help address the problem of voter apathy and will also reduce the number of spoilt ballots.
- (ix) Greater care should be taken in capturing data, compiled during the registration process. This stage of registration must be closely supervised.

- (x) Acceptable ways that guarantee the secrecy of one's vote have to be found to ensure that people with disabilities and the elderly are not disadvantaged either at registration or during the actual poll. Registration officers should closely liaise with representatives of the two groups and social workers with a view to working out appropriate means of assisting these two groups.
- (xi) A continuous, mobile registration system should form part and parcel of the voter registration process.
- (xii) Continuous Registration of Voters should become an integral part of the daily of the Registrar-General.

8.4.2 Logistics

On the whole, logistical arrangements were reasonable. This includes transport, materials, lights etc. In most areas, these were made available in the right quantities. However, it is recommended that:

- (a) In future, use of open spaces should be avoided;
- (b) The ESC; Election Directorate and the Registrar General's office should identify all needs of polling stations well in advance and ensure that all the required items, materials and equipment are supplied timeously and in the right quantities;
- (c) In respect of equipment, the ESC; Election Directorate and Registrar General's office should have a checklist, for use by polling agents, presiding officers and monitors to ensure that there are no shortages and that no dysfunctional equipment is supplied.
- (d) There is need to review the suitability of some of the materials and equipment used during elections, for example;

- wooden ballot boxes are archaic and should not be used. The Government in conjunction with other stakeholders should invest in transparent ballot boxes.
 - Tents are poorly ventilated, this aspect should be addressed taking into account the comfort of voters, polling officers and agents and the need to protect the secrecy of the vote.
 - Candles should not be used. The responsible authorities should invest in generators.
- (e) If the election is to be adequately monitored and observed, returning officers should be informed beforehand to enable them to work out appropriate seating and other arrangements.
- (f) There should be joint briefing sessions with all the stakeholders at each polling station, at least a day before the commencement of the poll. Such briefing session will focus on the procedures, expectations and seating arrangements applicable during the poll.
- (g) Counting should be done at each polling station in order to counter the possibility of tampering while in transit.

8.4.3 Training of personnel

The training currently administered by the three bodies responsible for the running of elections is considered adequate, as far as its content is concerned. However, the following recommendations are made concerning how such training can be improved:

- (a) Training should be more practical, the methodology of delivering the training should include use of some practical exercises, and video tapes and other participatory methods;
- (b) Materials used for training should be standardised for both monitors and polling officers. These should also be up-to- date and supplied in good time prior to commencement of training;
- (c) Training of all personnel should be done well in advance of the election.
- (d) There must be an ad-hoc tripartite body that reviews training materials to ensure that there are relevant and adequate.

8.4.4 Polling day

Long queues on polling days were a grave cause for concern. These were attributable to a number of factors including:

- (i) A large voters list
- (ii) A complicated ballot paper
- (iii) Manual checking of the voters' list.

The following are recommended as necessary for addressing the problem of long queues on polling days:

- (i) There must be a voter education department within ESC that will plan and deliver an extensive and targeted voter education programme;
- (ii) Use of more booths at polling stations with a large number of voters;
- (iii) Distribution of polling stations should be determined by the concentration of voters in each particular area;

- (iv) Discontinuation or modification of the current system of voting by either replacing it with a stamp or a ballot paper which is perforated;
- (v) Avoidance of lengthy explanations by polling personnel.

Another area of concern was the general slow process of counting the ballots. The following are suggested in dealing with this problem:

- (a) A shift system should be introduced so that those responsible for the poll during the day are not the same set of people having to count the ballots at night;
- (b) Computerisation of the counting process;
- (c) Verification of ballot boxes as they arrive at the counting centre. There is no need to wait until all boxes have arrived;

8.4.5 The Ballot Paper

It is recommended that the ballot paper be changed in the following ways;

- (i) Reduce its size, current one is too bulky;
- (ii) party colours and symbols should be completely different from one another to avoid confusing voters;
- (iii) only parties that have fielded candidates in a particular constituency should appear on the ballot paper;
- (iv) simply accept any mark placed against the voter's preferred candidate even if it is not an X;
- (v) create enough spaces between party symbols on the ballot paper to avoid a situation where marks literally spill into the next box.

- (vi) The paper used should be of better quality without the possibility of seeing the mark made against a particular candidate.
- (vii) If photographs are to be used, they should be of all candidates not just that of a particular party as was the case in Election 2000.

8.4.6 Counting

Counting should take place as soon as possible after the end of voting in order to avoid accusations of vote tampering.

8.4.7 Other Issues and Recommendations

The following recommendations are made with a view to enhancing the independence of the ESC or improving the welfare of election personnel.

- (a) The incidental allowances for meals etc should be increased. The current levels are too low to attract any high quality election personnel;
- (b) As intimated above, the question of the independence of the ESC and its mandate needs to be further debated so that it is clear to all stakeholders;
- (c) The state should avoid last minute legislative amendments, which disrupt the planning and effective monitoring of elections;
- (d) Use of ink: Due to the issue of HIV/AIDS, some voters might be reluctant to use the same ink provided for all voters. There is a need to think of some other alternative method.

8.4.8 Interference of Candidates

Some candidates interfered with the voting process and ended up either disrupting the monitoring of the poll or significantly slowed down the actual voting. There is, therefore, a need to evolve a standing order on how candidates should behave on voting day. All stakeholders should consider some code of conduct.

8.4.9 Postal Votes

There is need to develop an acceptable system under which Zimbabweans in the diaspora can vote and also a way of preparing a voters roll for them.

It must be known prior to the poll, how many externally based citizens are entitled to vote. This information should be available for scrutiny and verification by all interested parties. This year's postal vote system was shrouded in secrecy.

8.4.10 The Constitution and Electoral Act

There is an urgent need to reconcile the intention of the Constitution in setting up the ESC with the role of the Registrar General and the Election Directorate, respectively. There is a need for an Act of Parliament that provides for the functions and powers of the ESC.

8.4.11 The Issue of Political Boundaries

This created some confusion in certain constituencies, particularly because people were not aware of these boundaries.

These issues must be seriously considered and sufficient voter education be carried out in this regard.

8.4.12 The Role of Media, particularly Zimpapers and ZBC/TV

State media seemed to espouse a clear political affiliation and its reporting on election activities was clearly biased against the

opposition. ZBC and Zimpapers are not allowed to take editorial positions in favour of any political party.

This denied, especially the rural voters, access to objective information to enable them to make informed choices. State media reporting during the election period should be balanced and media access must be equitable to all contesting candidates.

8.4.13 Recommendations Vis- A -Vis The Statutory Instrument 161A Of 2000

1. The network is of the view that the Regulations themselves may be ***ultra-vires*** Section 157 of the Electoral Act, to the extent that the Minister has acted in excess of his powers.
2. There is a clear contradiction between on the one hand, the Constitutional duties of the ESC, the statutory functions of the Registrar-General and his new functions as defined in S.I 161A of 2000 on the other hand. The Regulations seek to pervert the intention of the Constitution in setting up the ESC, which was to ensure that a non-governmental entity supervised and monitored the Electoral processes.

They seek to achieve what cannot be done without amending Section 61 of the Constitution.

3. The network is of the view are also that limiting the roles of Observers and Monitors to polling and post-poll processes does not meet the practical demands of the obtaining situation or new trends in International election monitoring. Because an election starts with registration of voters and the campaign process before the actual poll, any meaningful monitoring should cover all these stages.

The entitlement of Observers/Monitors to demand information or to have access to members of the public and public office holders should be protected.

In this regard therefore, both the definition of “Monitor” and “Observer” are inhibitive in a manner that might defeat the whole purpose of election monitoring and supervision. In our view, the scope of their mandate should be defined by the sending organisations and not the State functionary whom they must monitor.

4. It seems a gross violation of people’s freedom of association, to suggest that a monitor should not be a member of any political party contesting the poll being monitored.

Chapter 9

Conclusions

9. Conclusions

The ZESN received reports from all the country's constituencies and the assessment of the information indicated that inadequate monitoring services at most polling stations compromised the integrity of the electoral process.

The level of violent incidents aimed at intimidating the supporters and their candidates was unacceptably high especially in the rural communities of Mashonaland region. The apparent reluctance of the police to carry out their constitutional obligations tended to reinforce the perception of ordinary citizens that they would be victimised by the war veterans and members in the event of an electoral defeat of their parties.

The ballot papers confused the polity. The omission of the photographs of apparently all the main opposition parties' candidates from the ballot paper confused illiterate voters resulting in a potentially high percentage of spoiled papers.

The confusion over accreditation of monitors created by the Registrar General's and the Election Directorate severely compromised the effective monitoring of the first day of polling. A number of stations had no monitors at all. Some stations had a single monitor. The monitors were rejected on the pretext that they were not properly accredited or were suspected of being agents of the opposition. This diluted the democratic process of free and fair elections.

To add to the confusion, the state organs responsible for the running of elections issued conflicting directives and instructions to all provincial registrars, constituency registrars, and presiding officers. During the course of the first day of polling, the Registrar General suddenly issued a new directive. This directive effectively changed the required documents to prove proper accreditation. This was an attempt to dissipate the process of impartial monitoring.

In a number of outlying districts, extremely disturbing reports of incidences of violence and intimidation against opposition parties were received. In Murewa, Mutoko and Rushinga groups of war veterans prevented voters from casting their vote by confiscating their identity documents. The farms remained inaccessible to opposition parties and independent observers. Recent reports indicate that war veterans have resumed vicious campaigns on commercial farms and in the rural areas.

In all the outlying districts of the country, war veterans prevented virtually all the monitors from attending to polling stations. This practice was extremely rife in all the constituencies, both rural and urban.

In summation, it is apparent that the inability of the electorate to elect candidates freely and without compulsion compromised the freeness and fairness of the electoral process.

The network after carrying out the proper assessment during

- (1) the pre-election period
- (2) the polling period
- (3) the post-election period

is of the opinion that the pre-election conditions for credible democratic elections did not exist in Zimbabwe. The people of Zimbabwe voted in large numbers despite the grave obstacles that were put in their way by the authorities.

Chapter 10

Annexures

List Of Annexures

Comprehensive Results Table

Registered voters and actual votes cast

Registered voter

Actual Votes Cast

Voters turned away

Distribution of Votes

Percentage of votes per political party

Seats obtained by contesting parties

Correlation between cases of violence reported during polling days and performance of ZANU

–PF and MDC

What makes Elections Free and Fair (Checklist for Election Assessment)

Monitors' Observation Form

Answers to Monitors Observation Form

Comprehensive Results Table For The 2000 Parliamentary Elections

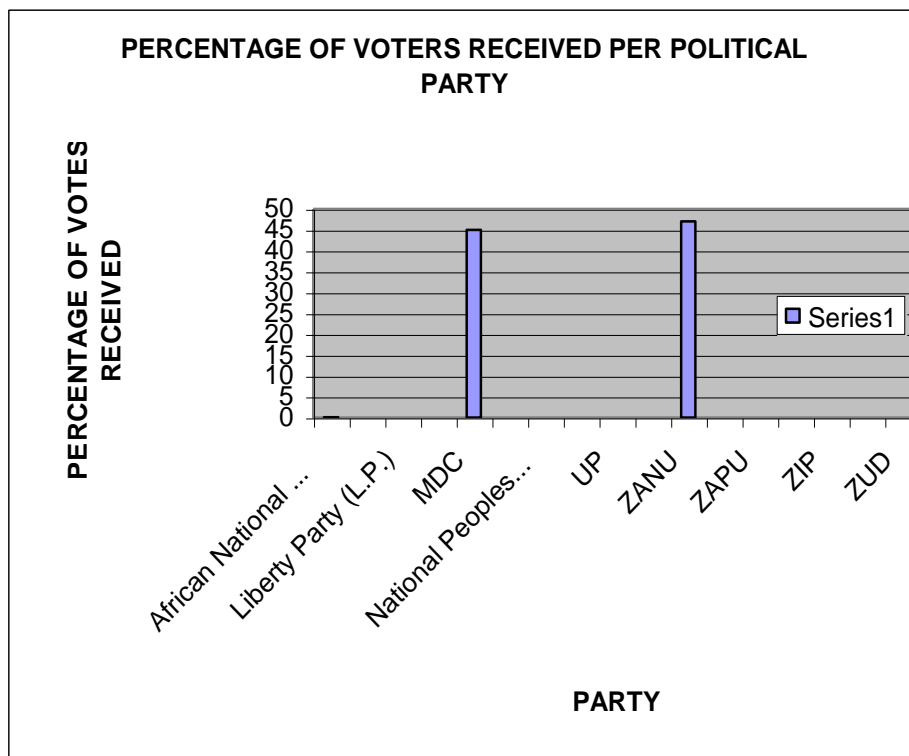
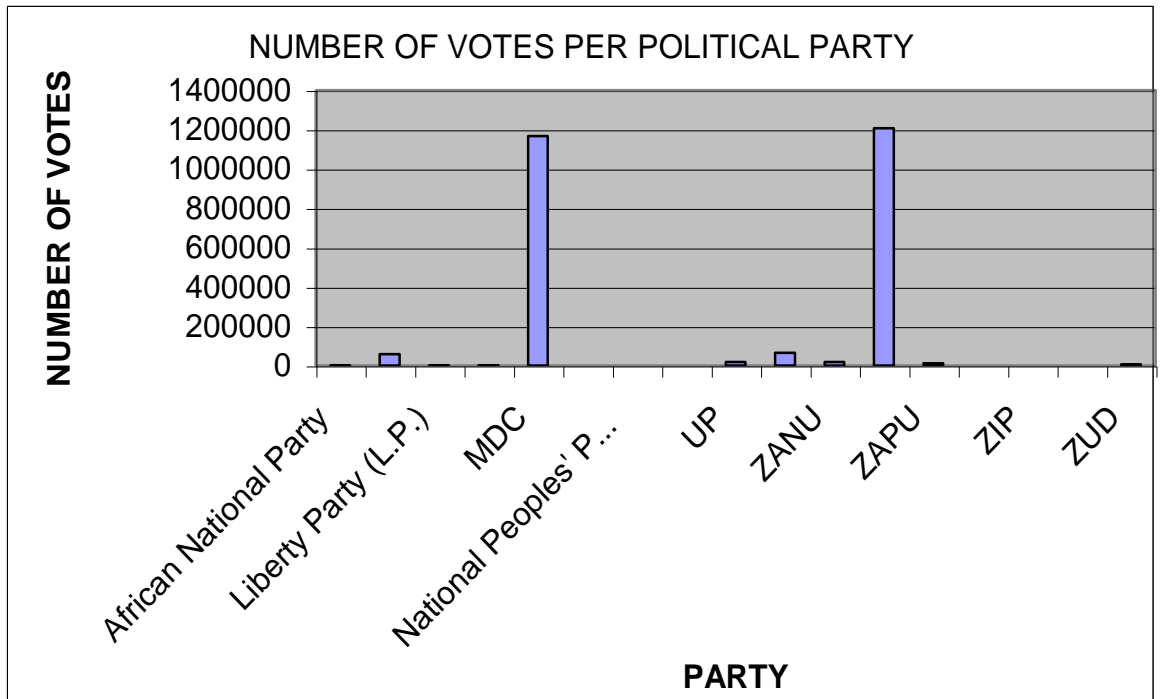
PROVINCE	CONSTITUENCY	TOT/VOTES	REG/VOTERS	CAND	SPOILT PP	%POLL	WIN MARGIN	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	NDUP	ZPP	ZCP	ZUD	IND	IND2	IND3	IND4	MEMBER OF PARLIAMENT
Bulawayo Urban	Logengula-Magwegwe	19779	45925		153	43.068	14844	17041	2197		177			119	32					60				Ncube D. Fletcher
Bulawayo Urban	Bulawayo North East	24499	48006		184	51.033	18236	21100	2864		227				37					87				Ncube Weshman
Bulawayo Urban	Bulawayo South	24674	48882		148	50.477	17588	20781	3193		211		25	34						282				David Coltart
Bulawayo Urban	Makokoba	17333	41090		273	42.183	9895	12901	2196		113		34	43						1773				Khupe Thokozani
Bulawayo Urban	Nkulumane	25069	51911		281	48.292	16736	20380	3644		205		63	36	18					25	417			Sibanda J. Gibson
Bulawayo Urban	Pelandaba	19857	47981		283	41.385	13766	16462	2696		270		57	54	35									Khumalo Jefret B
Bulawayo Urban	Pumula-Luveve	22709	51361		234	44.214	15881	18901	3020		263		61	53	50					127				Mdlongwa Esaph
Bulawayo Urban	Mpopoma	17749	40587		167	43.731	12273	14813	2540		146		83											Gweto Milford
Sub Total		171669	375743	47	1723	45.688	120029	1E+05	22350	0	1612	0	323	339	172	0	0	0	0	2354	417	0	0	
Harare	Highfield	17511	40462		217	43.278	9382	12616	3234				185							139	1120			Gwisai Munyaradzi
Harare	Budiriro	25768	51773		111	49.771	16648	21058	4410				96							93				Mutimutema G. Shoko
Harare	Chitungwiza	21986	50581		185	43.467	9424	15480	6056				101			164								Fidelis Mhashu
Harare	Dzivaresekwa	25808	50733		209	50.870	12432	18516	6084				120							173	584	122		Mushoriwa Edwin
Harare	Glen Norah	22055	50300		247	43.847	14349	17866	3517	119			159							147				Mushairabwi Priscilla
Harare	Glen View	20655	49027		369	42.130	13027	16470	3443				100				16		48	209				Madzore Paul
Harare	Harare Central	18146	39206		204	46.284	10587	14207	3620				39							76				Auret Mike
Harare	Harare East	22870	44230		210	51.707	13738	18129	4391			140												Biti Tendai
Harare	Harare North	25001	49547		202	50.459	14124	18976	4852								62			707	202			Bevier L.G Stevenson
Harare	Harare South	18388	37537		277	48.986	7700	12430	4730											951				Chaibva Gabriel
Harare	Hatfield	17912	42511		355	42.135	6327	11740	5413				124							58	10	39	173	Mashakada Tapiwa
Harare	Kambuzuma	16924	26158		97	64.699	11180	13722	2542				101							74	311	77		Madzimore Willius
Harare	Kuwadzana	20731	42391		325	48.904	11342	15691	4349	144			67							155				Jongwe Learnmore
Harare	Mabvuku	23568	47746		255	49.361	11923	17495	5572				246											Mutendadzamera Justin
Harare	Mbare East	15556	38681		196	40.216	6489	10754	4265											109	232			Munyanyi T Jetter
Harare	Mbare West	16718	38103		3078	43.876	12996	13118	122				88							312				Makuwaza S. Dunmore
Harare	Mufakose	19736	40024		188	49.310	11268	15233	3965				350											Mpariwa Paurina
Harare	St Marys	24157	55422		282	43.587	11605	17740	6135											PDF				Sikhala Job
Harare	Zengeza	20583	44803		177	45.941	9484	14814	5330	172										90				Musekiwa Tafadzwa
Sub Total		394073	839235	84	7184	46.956	214025	3E+05	82030	435	0	###	1776	0	0	164	62	16	###	3536	873	161	173	

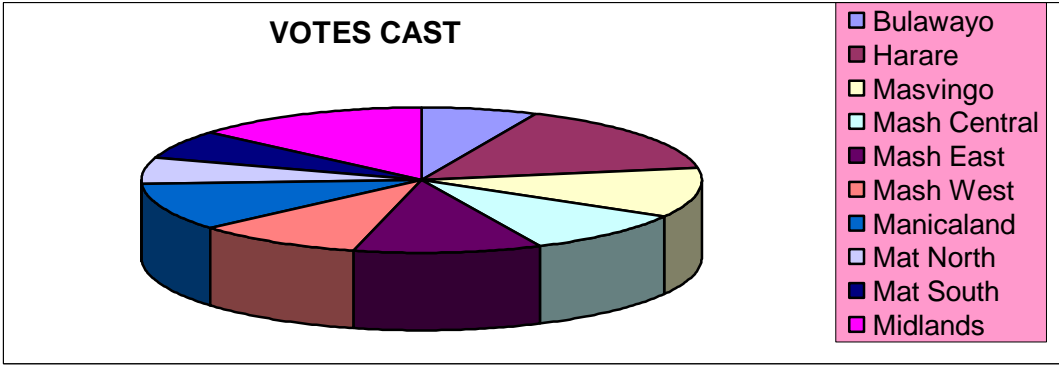
PROVINCE	CONSTITUENCY	TOT/VOTES	REG/VOTERS	CAND	SPOILT PP	%POLL	WIN MARGIN	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	NDUP	ZPP	ZCP	ZUD	IND	IND2	IND3	IND4	MEMBER OF PARLIAMENT	
Manicaland	Buhera North	23969	48356		803	49.568	2534	10316	12850															Manyonda Kenneth	
Manicaland	Buhera South	22620	45827		783	49.360	6195	7821	14016															Kangai Kumbirai	
Manicaland	Chimanimani	20425	45843		400	44.554	3338	11410	8072	543														Bennet L. Roy	
Manicaland	Chipinge South	18347	51316		548	35.753	6162	3283	4086	10248										182				Kumbula W. Tarugarira	
Manicaland	Chipinge North	16418	49179		482	33.384	5555	9283	3728	2925														Mathias Matewu	
Manicaland	Makoni East	15518	35762		406	43.392	118	7391	7509				212											Chipanga S. Tongesayi	
Manicaland	Makoni North	20120	38349		598	52.466	11478	3357	14835	1330										ANP				Mutasa Didymus. N. E	
Manicaland	Makoni West	20641	42625		362	48.425	3782	7356	11138				923							862				Mahachi Moven. E	
Manicaland	Mutare Central	23185	49061		241	47.257	14615	17706	3091	83										754	985	325		Gonese T. Innocent	
Manicaland	Mutare North	21546	40539		247	53.149	9936	15500	5564				235											Mutsekiwa Giles	
Manicaland	Mutare South	15389	36224		350	42.483	600	7273	6673	218										637	238			Mukwecheni Sydney	
Manicaland	Mutare West	18743	40504		464	46.274	5680	5818	11498											622	341			Mushowe C. Christopher	
Manicaland	Mutasa	15851	39695		399	39.932	3997	9278	5281				268							262	363			Masiti Evelyn	
Manicaland	Nyanga	20137	48973		529	41.119	1125	10016	8891				701											Chirowamangu R. Leonard	
Sub Total		272909	612253	51	6612	44.575	75115	1E+05	1E+05	####	0	0	2339	0	0	0	0	0	0	262	3420	####	325	0	
Mash East	Chikomba	21914	49850		625	43.960	6641	6776	13417				103	362							161	470			Hunzvi H. Chenjerai
Mash East	Goromonzi	25933	53394		654	48.569	4970	9489	14459					319								1012			Murenwa M. Herbert
Mash East	Marondera	22121	46171		347	47.911	63	10629	10692					248								205			Sekeramayi T. Sydney
Mash East	Mudzi	31588	55147		1378	57.280	24778	2371	27149					690											Kaukonde J. Ray
Mash East	Marondera East	17293	37630		346	45.955	6651	4570	11221											428	728				Gwanzura Z. Rufaro
Mash East	Murehwa North	18696	35806		437	52.215	9590	4104	13694					461											Chitongo Oswald
Mash East	Murehwa South	19275	35620		449	54.113	9469	4426	13895					505											Matiza Biggie
Mash East	Mutoko North	20773	36847		580	56.376	14927	2447	17347					372											Chapfika David
Mash East	Seke	22641	48541		409	46.643	1585	10821	9236					133						545	388	703	320	86	Mutasa Tumbare Bennie
Mash East	Uzumba Maramba Pfungwe	31111	48883		675	63.644	25620	2128	27748					560											Mutiwekuziwa K. Kenneth
Mash East	Wedza	25216	50865		611	49.574	11995	6049	18044					351							161				Chigweder S. Aeneas
Mash East	Mutoko South	21662	36352		501	59.590	18051	1177	19228					129							627				Muchena N. Olivia
Sub Total		278223	535106	49	7012	51.994	134340	64987	2E+05	0	0	###	4130	0	0	0	0	0	0	973	2065	2390	320	86	0

PROVINCE	CONSTITUENCY	TOT/VOTES	REG/VOTERS	CAND	SPOILT PP	%POLL	WIN MARGIN	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	NDUP	ZPP	ZCP	ZUD	IND	IND2	IND3	IND4	MEMBER OF PARLIAMENT	
Mash West	Chegutu	23447	51832		381	45.237	1757	10412	12169				485											Ndlovu Charles	
Mash West	Chinhoyi	16082	35850		205	44.859	574	7602	8176				99							NPP				Chiyangwa Philip	
Mash West	Hurungwe East	20303	41443		557	48.990	10499	4315	14814											617				Marumahoko Reuben	
Mash West	Hurungwe West	25279	48413		827	52.215	14459	4532	18991				929											Maduro Marko	
Mash West	Kadoma Central	18136	41069		261	44.160	6383	5666	12049				160											Israel Mukwasha	
Mash West	Kadomo East	15315	34682		275	44.158	8316	3362	11678															Mangwana P. Munyaradzi	
Mash West	Kadoma West	17657	35011		494	50.433	7177	4581	11758				373											Ziyambi W. Zachariah	
Mash West	Kariba	23660	51300		720	46.121	7716	7332	15048				560											Mackenzie Isaac	
Mash West	Makonde	17708	40163		620	44.090	9772	3294	13066				728											Mombeshora T. Swithun	
Mash West	Nhondoro	22000	52037		346	42.278	1665	10783	9118				543							1210				Mafudze Hilda	
Mash West	Zvimba North	22756	46804		709	48.620	10303	5872	16175															Chombo M.C Ignatius	
Mash West	Zvimba South	24438	51760		712	47.214	11819	4689	16508				334							2195				Mugabe G. Sabina	
Sub Total		246781	530364	37	6107	46.530	90440	72440	2E+05	0	0	0	4211	0	0	0	0	0	0	4022	0	0	0	0	0
Mash Central	Bindura	25589	53191		669	48.108	2071	11257	13328				335											Gezi Border	
Mash Central	Guruve North	24131	42271		580	57.086	18143	2370	20513				668											Mazikana H. Paul	
Mash Central	Guruve South	23642	41317		415	57.221	16749	3239	19988															Chininga T.C Edward	
Mash Central	Shamva	25806	49527		725	52.105	13839	5621	19460															Goche T. Nicholas	
Mash Central	Mazowe East	27482	49497		652	55.523	11351	7473	18824				533											Chimutengwende C.C Chenhamo	
Mash Central	Mazowe West	22561	45975		1038	49.072	6939	7085	14024											414				Kuroneri T. Christopher	
Mash Central	Rushinga	23796	37353		847	63.706	17544	2483	20027				439											Dokora Lazarus	
Mash Central	Mount Darwin North	24653	39558		859	62.321	18592	2037	20629	717			411											Kasukuwere Savior	
Mash Central	Mount Darwin South	26236	41522		802	63.186	20438	2295	22733				406											Mujuru T.R Joyce	
Mash Central	Muzabani	24057	41341		889	58.192	15714	3727	19441															Dzindi Nobbie	
Sub Total		247953	441552	38	7476	56.155	141380	47587	2E+05	717	0	0	2792	0	0	0	0	0	0	414	0	0	0	0	0

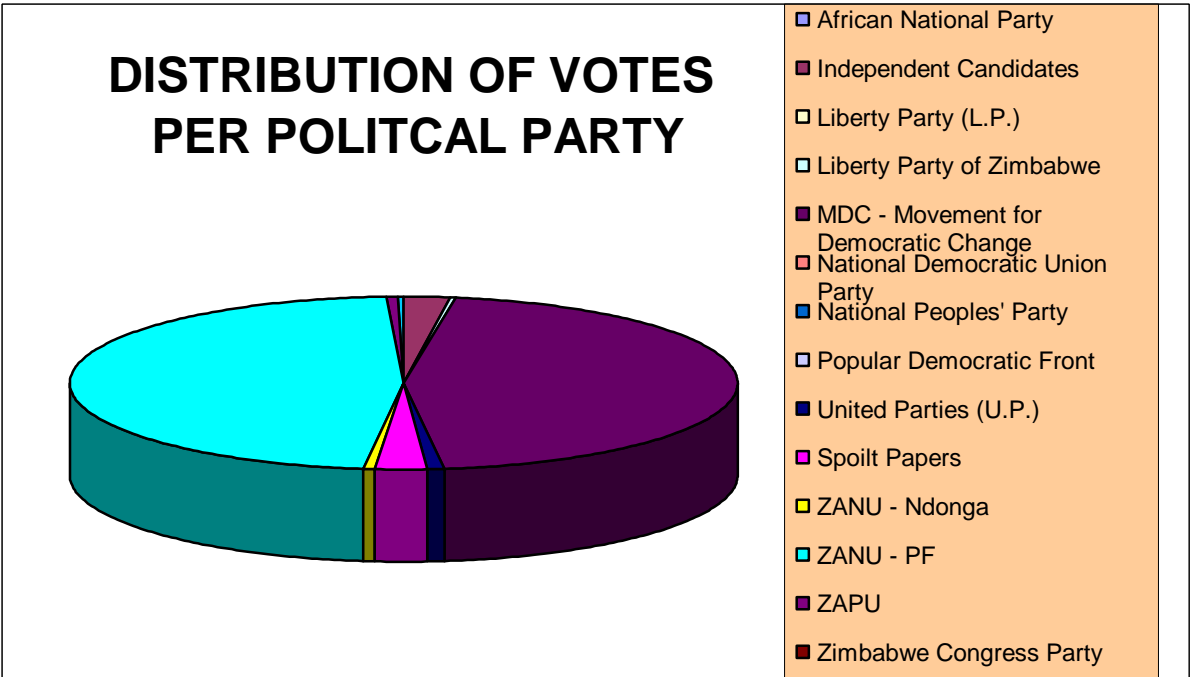
PROVINCE	CONSTITUENCY	TOT/VOTES	REG/VOTERS	CAND	SPOILT PP	%POLL	WIN MARGIN	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	NDUP	ZPP	ZCP	ZUD	IND	IND2	IND3	IND4	MEMBER OF PARLIAMENT	
Masvingo	Chivi North	18957	39188		310	48.375	7009	3938	10947											3762				Mumbengegwi C. Samuel	
Masvingo	Chivi South	19065	41127		1014	46.356	7744	4312	12056											1683				Charles Majange	
Masvingo	Bikita East	13195	34597		921	38.139	2032	5015	7047											212				Mutsauri Walter	
Masvingo	Bikita West	15491	39669		320	39.051	281	7726	7445															Mutongi M. Amos	
Masvingo	Mwenezi	29219	51811		1102	56.395	20795	1881	22676											2643	917			Shumba Isaiiah	
Masvingo	Chiredzi North	19891	46852		532	42.455	1479	8675	10154	530														Chauke M. Elliot	
Masvingo	Chiredzi South	18819	46879		0	40.144	5197	6414	11611	794														Baloyi Aaron	
Masvingo	Gutu North	24530	50185		806	48.879	6688	8179	14867				678												Muzenda V. Simon
Masvingo	Gutu South	23906	49710		641	48.091	4828	6606	11434				25							84	3073	843	1200	Mahofa Shuvai	
Masvingo	Masvingo Central	21386	42598		632	50.204	4394	12417	8023											314				Mangono J. Silas	
Masvingo	Masvingo North	16906	36859		486	45.867	922	7224	8146											1050				Mudenge S.G. Isack	
Masvingo	Masvingo South	21054	37071		656	56.794	9510	5444	14954															Zvobgo J.M Eddison	
Masvingo	Zaka East	20176	46199		668	43.672	5952	6778	12730															Rusere Tinos	
Masvingo	Zaka West	24146	49561		1884	48.720	3484	7444	10928											3890				Chindanya Jefta J.	
Sub Total		286741	612306	40	9972	46.830	80315	92053	2E+05	1324	0	0	703	0	0	0	0	0	0	####	3990	843	####	0	
Mat North	Binga	24172	49036		1054	49.294	17219	19894	2675		549				223										Gabbaza Joel
Mat North	Bubi-Umguza	22502	51017		636	44.107	6192	12837	6645		889									1272					Thabane Jacob
Mat North	Hwange East	20135	42704		524	47.150	11654	15271	3617		384									339					Nyoni Peter
Mat North	Hwange West	18380	40890		374	44.950	12687	15132	2445		429														Sansole Jealous
Mat North	Lupane	19288	46425		577	41.547	11139	14439	3300		972														Mpala David
Mat North	Nkayi	24758	52097		642	47.523	9855	15601	5746		2047			404	318										Bhebhe Abednico
Mat North	Tsholotsho	18593	45571		641	40.800	6684	12318	5634																Mtolikin N. Sibanda
Sub Total		147828	327740	26	4448	45.105	75430	1E+05	30062	0	5270	0	0	404	541	0	0	0	0	####	0	0	0	0	0
Mat South	Beitbridge	22920	45918		1162	49.915	5302	7686	12988		1084														Mohadi C.D Kembo
Mat South	Bulilimangwe South	19254	41038		834	46.917	6144	11761	5617		556		253	233											Mkhosi T.M Edward
Mat South	Bulilimangwe North	21369	50013		923	42.727	3088	11767	8679																Ndlovu M. Moses
Mat South	Gwanda North	18676	37478		517	49.832	8681	13039	4358		520				242										Nare .M. Paulos
Mat South	Gwanda South	19146	36555		615	52.376	1969	9913	7944											674					Ncube Abednico
Mat South	Insiza	18823	38714		496	48.621	6745	12049	5304		974														Ndlovu J. George
Mat South	Matoba	22255	47302		503	47.049	8282	14701	6419						419					213					Moyo Lovemore
Mat South	Umzingwane	17136	34605		313	49.519	9991	12878	2887		282	118		176	45					437					Khumalo M. Nomalanga
Sub Total		159579	331623	33	5363	48.121	50202	93794	54196		3416	###	253	###	464	0	0	0	0	1324	0	0	0	0	0

PROVINCE	CONSTITUENCY	TOT/VOTES	REG/VOTERS	CAND	SPOILT PP	%POLL	WIN MARGIN	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	NDUP	ZPP	ZCP	ZUD	IND	IND2	IND3	IND4	MEMBER OF PARLIAMENT
Midlands	Kwekwe	24406	48341		263	50.487	7036	15388	8352				176							227				Chebundo Blessing
Midlands	Silobela	23080	44121		373	52.311	10137	15985	5848		481		393											Malinga Abednigo
Midlands	Mkoba	19906	40352		232	49.331	9747	14587	4840			72							111	64				Makwembere S. Bethel
Midlands	Gweru Urban	17350	38896		165	44.606	8295	12172	3877				117							1019				Makahlera T. Lancaster
Midlands	Gweru Rural	18244	41186		349	44.297	3301	10190	6889		552				264									Gasela Renson
Midlands	Chirumanzu	17658	38471		475	45.900	5523	5185	10708				238							1052				Chikiyi I. Wilson
Midlands	Gokwe Central	19990	39656		615	50.409	5095	5987	11082											1245	261	436	364	Muputa Lovemore
Midlands	Gokwe East	24057	42448		736	56.674	13414	3674	17088										619	738	1202			Flora Buka
Midlands	Gokwe North	22509	39866		1102	56.462	11956	3967	15923				360							1157				
Midlands	Gokwe South	18571	37807		822	49.121	9029	3615	12644											1490				Mkangla Eleck
Midlands	Gokwe West	22115	41821		738	52.880	11716	3240	14956										647	2534				Kokerai J. M Machaya
Midlands	Mberengwa East	27974	48608		1262	57.550	20846	3113	23595															Nyauchi Esther
Midlands	Mberengwa West	24691	43949		852	56.181	14426	3889	18315											667	968			Gumbo J. MacDonald
Midlands	Shurugwi	22440	48342		512	46.419	8367	6524	14891										513					Nhema Francis
Midlands	Zvishavane	26230	48498		602	54.085	3598	10373	13971				256							1028				Mbalekwa Meeting Pearson
Zhombe	Zhombe	21284	40520		653	52.527	2592	8165	10757				539							784	386			Ncube D. Mackenzie
Sub Total		350505	682882	64	9751	#####	145078	1E+05	2E+05	0	1033	72	2079	0	264	0	0	0	###	####	####	436	364	
Total		2556261	5288804	469	65648	#####	1E+06	1E+06	1E+06	#####	#####	433	#####	###	###	164	62	16	###	####	####	2085	####	
%Of Total Votes					2.55			45.6	47.23	0.697	0.443	0	0.728	0.1	0.06	0.01	0	0	0.24	*2.254	0.03	0.02	0	





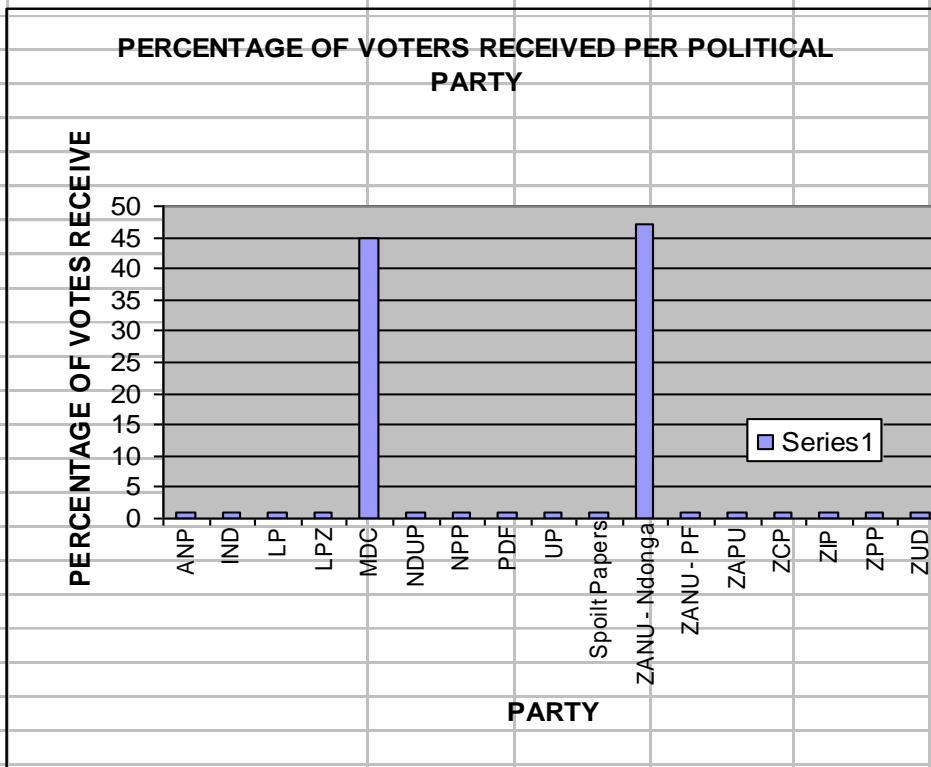
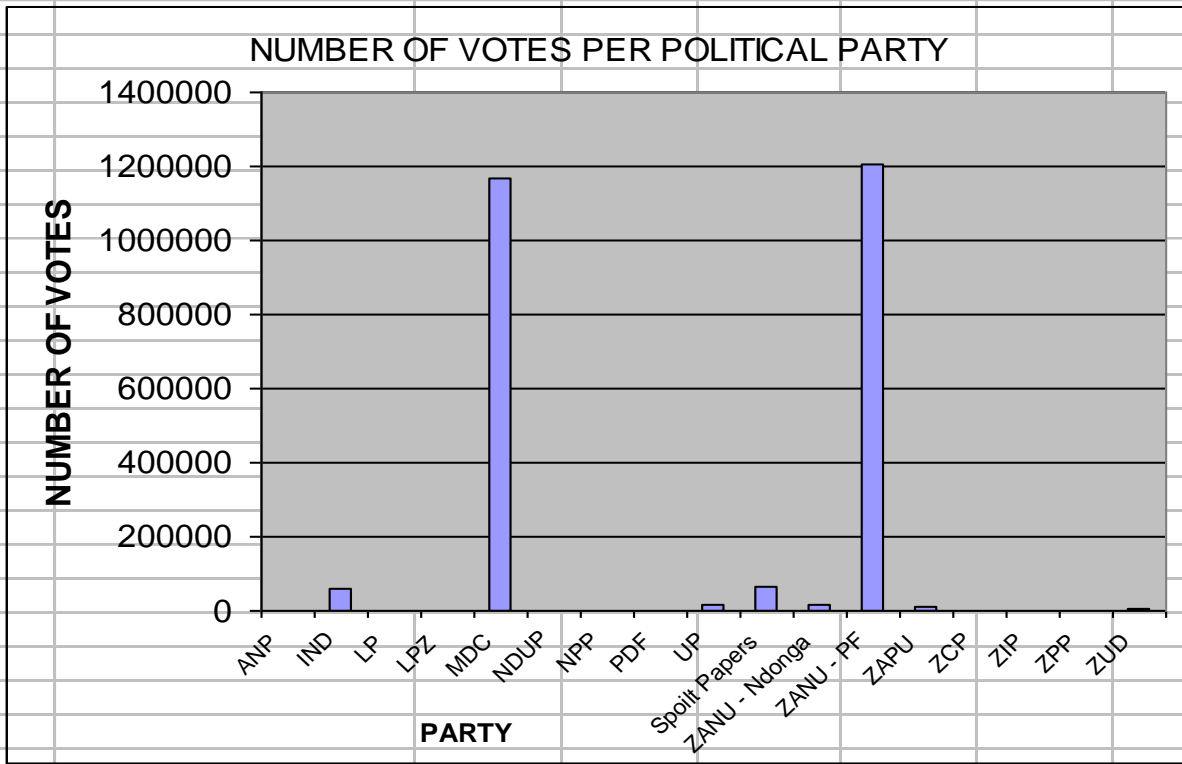
PROVINCE	VOTES CAST
Bulawayo	171669
Harare	394073
Masvingo	286741
Mash Central	247953
Mash East	278221
Mash West	246783
Manicaland	272909
Mat North	147828
Mat South	159579
Midlands	350505
TOTAL	2556261



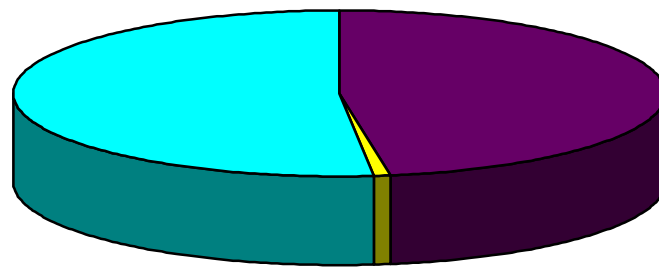
VOTERS TURNED AWAY

Province	Number Of Polling Stations Sampled	Stations Where Voters Were Turned Away (from Sample)	Percentage of Stations Where Voters Turned Away	Average Number Turned Away*
Bulawayo	40	29	72.5	47.8
Harare-Chitungwiza	59	26	44.1	40.4
Manicaland	59	26	44.1	27.0
Mashonaland East	41	31	75.6	80.8
Mashonaland Central	32	31	53.1	18.2
Mashonaland West	13	5	28.5	27.0
Mashonaland North	19	19	68.4	44.8
Mashonaland South	22	8	36.4	11.5
Masvingo	58	23	39.7	31.4
Midlands	59	22	37.3	33
National	402	200	50	36.2*

- ❖ For the figure of 3850 polling stations this suggest that the total figure of voters turned away is at least 139370.
- ❖ A number of the monitors' reports do not cover the two days of polling due to the fact that monitors were not able to be present in the polling station at all times if at all.
- ❖ Most voters were turned away because of not being on the voters' roll, invalid IDS, registration in the wrong constituency; invalid registration slip and no proof of identity.

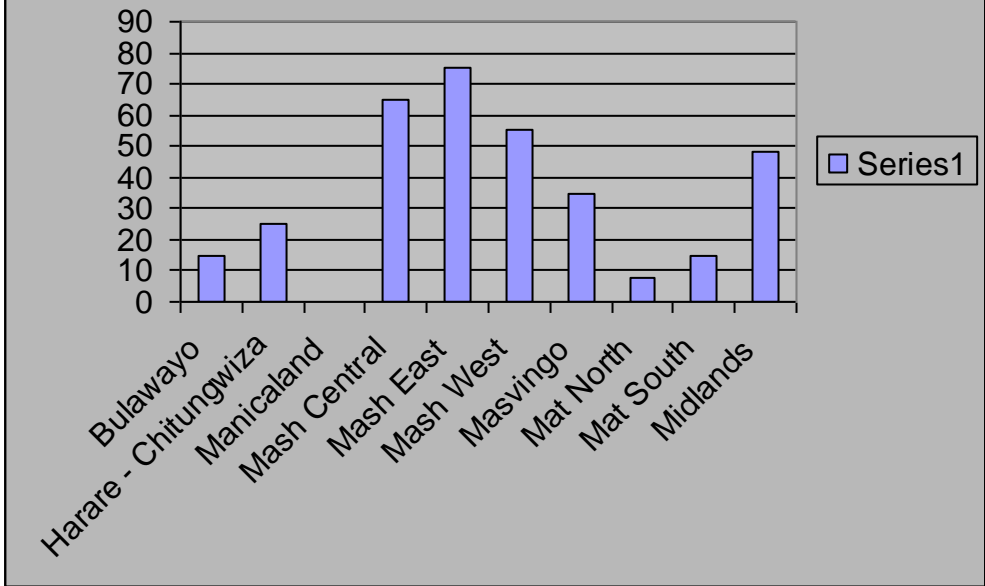


SEATS OBTAINED BY CONTESTING PARTIES

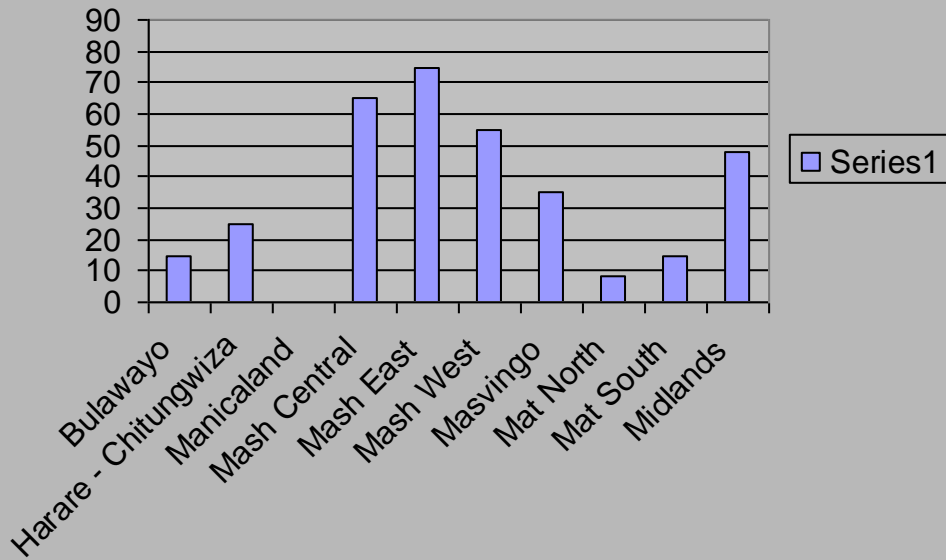


PROVINCE	MDC	ZANU PF	ZANU	ZAPU	ZIP	UP	LPZ	LP	PDF	NDU	ZPP	ZCP	ZUD	IND	Total No. of Seats
Bulawayo Urban	8	0	0	0	0	0	0	0	0	0	0	0	0	0	
Harare	19	0	0	0	0	0	0	0	0	0	0	0	0	0	
Manicaland	7	6	1	0	0	0	0	0	0	0	0	0	0	0	
Mash East	1	11	0	0	0	0	0	0	0	0	0	0	0	0	
Mash West	2	10	0	0	0	0	0	0	0	0	0	0	0	0	
Mash Central	0	10	0	0	0	0	0	0	0	0	0	0	0	0	
Masvingo	2	12	0	0	0	0	0	0	0	0	0	0	0	0	
Mat North	7	0	0	0	0	0	0	0	0	0	0	0	0	0	
Mat South	6	2	0	0	0	0	0	0	0	0	0	0	0	0	
Midlands	5	11	0	0	0	0	0	0	0	0	0	0	0	0	
Total No. Of Seats	57	62	1	0	0	0	0	0	0	0	0	0	0	0	120

CORRELATION BETWEEN CASES OF VIOLENCE REPORTED DURING POLING DAYS AND PERFORMANCE OF ZANU-PF



CORRELATION BETWEEN CASES OF VIOLENCE REPORTED DURING POLING DAYS AND PERFORMANCE OF MDC



Check List Election Assessment

Time Period	Dimension	Dimension
<p>Before Polling Day</p>	<p>“Free”</p> <p>Freedom of movement</p> <p>Freedom of speech (for candidates, the media voters and others)</p> <p>Freedom of assembly</p> <p>Freedom from fear in connection with the election and the campaign.</p> <p>Absence of impediments to standing for election (for both political parties and independent candidates)</p> <p>Equal and universal suffrage</p>	<p>“Fair”</p> <p>A transparent electoral process</p> <p>An electoral act and an electoral system that grant no special privileges to any political party or social group.</p> <p>Absence of impediments to inclusion in the electoral register.</p> <p>Establishment of an independent and impartial election commission.</p> <p>Impartial treatment of candidates by the police, the army and the courts of law.</p> <p>An orderly election campaign (observance of a code of conduct)</p> <p>Equal access to publicity controlled media.</p> <p>Impartial allotment of public funds to political parties (if relevant)</p> <p>No misuse of government facilities for campaign purposes.</p> <p>Polling stations should be identified and voters be informed in good time.</p>

“What make Elections free and fair?” by Jorgen Elklit and Palle Svenson. *The Journal of Democracy*, Vol8 No. 3 July 1997

Time Period	Dimension “Free”	Dimension “Fair”
On polling day	Opportunity to participate in the election.	<p>Access to all polling stations for representatives of the political parties, accredited.</p> <p>Access to all polling stations for representatives of the political parties, accredited local and international election observers, and the media.</p> <p>Secrecy of the ballot</p> <p>Absence of intimidation of voters.</p> <p>Effective design of ballot papers.</p> <p>Proper counting procedures.</p> <p>Impartial assistance to voters (if necessary)</p> <p>Proper treatment of void ballot papers.</p> <p>Proper precautionary measures when transporting election materials.</p> <p>Impartial protection of polling stations. Polling stations should be easily accessible to electorate.</p> <p>Official and expeditious announcement of election results.</p>
After Polling day	Legal possibilities	<p>Impartial treatment of any election complaints.</p> <p>Impartial reports on the election results by the media.</p> <p>Acceptance of the election results by everyone involved.</p>

“What make Elections free and fair?” by Jorgen Elklit and Palle Svenson. The Journal of Democracy, Vol8 No. 3 July 1997

OBSERVATION FORM FOR ESC MONITORS

Basic Information

1. Monitors Name _____
2. Monitors' NGO _____
3. Monitor's Address _____
5. Province/District _____
6. Constituency _____
7. Name of the polling centre _____
8. Total number of registered voters _____

OPENNING OF THE POLLING STATION

8. Were the ballot boxes opened and verified as empty in the presence of party agents and monitors? Yes _____ No _____

9. If NOT, give details _____

10. What time did the polling station open _____

11. Were the necessary staff present through out the voting? Yes _____ No _____

12. If NO, give comments Yes _____ No _____

13. Were the forces present? Yes _____ No _____

14. Were political party agents present? Yes _____ No _____

15. If YES, how many were present? _____

16. Which political party did they represent?

Name of the Political Party	Number of Party Monitors

17. Was there any controversy about who should be allowed into the voting station? Yes _____ No _____

18. If YES, give details _____

19. Were all the arrangements for the polling station in order? Yes _____ No _____

20. Were all the materials (ballot boxes, ballot papers, ink, register etc) available at the start and through out the voting period? Yes _____ No _____

21. If NOT, what was missing _____

Voting Process

22. Did the election officials have a clear understanding of all the voting procedures?
Yes _____ No _____
23. Were voters able to move smoothly through all the steps of the voting procedures?
Yes _____ No _____
24. Were voters who requested for assistance helped in a non-partisan manner?
Yes _____ No _____
25. Did the presiding officer manage the process without difficulty?
Yes _____ No _____
26. Did anyone attempt to tamper with voting materials, equipment, or records?
Yes _____ No _____
27. Did every voter cast a secret and free ballot? Yes _____ No _____
28. If the answer to any of the above is NO, please give details _____

29. Were all the voters who were inside the inner perimeter at closing time permitted to vote?
Yes _____ No _____
30. Did voting begin and end at the specified time? Yes _____ No _____
31. Did voters appear to know what to do? Yes _____ No _____
32. Were hands of voters checked for ink? Yes _____ No _____
33. Did each voter have a thumb dipped in ink? Yes _____ No _____
34. Were any voters sent away because their names did not appear on the roll?
If YES, how many were turned away? Yes _____ No _____
.
35. Were some voters blocked from entering the polling station?
If YES, who was involved and why? Yes _____ No _____

36. Were some voters ejected from the polling station? Yes _____ No _____
If YES, who was involved and why? _____
37. Were some voters intimidated or threatened? Yes _____ No _____
If YES, who was involved and why? _____
38. Did any person attempt to vote more than once? Yes _____ No _____
39. Was there any campaigning within 100 meters radius from the station?
Yes _____ No _____
40. Did the voters wait peacefully outside the polling station? Yes _____ No _____

Name Of Polling Station

Total Number	Political Party	Number of Votes
Ballot Papers		
Valid Ballot Papers		
Invalid Ballot Papers		

Parliamentary Results

Name of Candidate	Political Party	Numbers of Voters

Name Of Polling Station

Total Number	Political Party	Number of Voters

Closing Of The Polling Station

41. What time did the polling station close? _____
42. Where the ballot boxes closed and sealed in the correct manner?_____
43. Were party monitors allowed to add their seals to the ballot box? _____
44. Was there any irregularity that you observed? Yes_____ No _____
If YES, give details:

45. When did you arrive at the Polling Station?_____
46. When did you leave?_____
47. At what times were you absent from the Poling Station?_____

Signature of Monitor _____ Date _____

Name of Monitor Printed Clearly _____

Observation From For NGO Representatives Monitoring The Counting Process

Basic Information

1. Monitor's Name _____
2. Monitor's NGO _____
3. Monitor's Address _____
4. District _____
5. Constituency _____
6. Name of the Counting Centre _____
7. What time did it take to move the Counting Centre? _____
8. What time did the counting start? _____
9. Was there any campaigning within 100 meters radius from the station?
Yes _____ No _____
10. Were there any broken seals on the ballot boxes the count started?
If YES, how many? Yes _____ No _____

11. What was the explanation for the broken seals? _____
12. Were all ballot papers in each box removed and counted?
Yes _____ No _____
13. Were invalid ballot paper identified and separated in correct manner?
Yes _____ No _____
14. Were valid ballot papers for each candidate recorded in the correct manner?
Yes _____ No _____
15. If NOT, what problems occurred? _____
16. Were any objections raised regarding invalid ballot papers?
Yes _____ No _____
17. If YES, what problems happened? _____
18. Did any person present request for a recount? Yes _____ No _____
19. If YES, who requested and why? _____
20. Was the recount carried out? Yes _____ No _____
21. If YES, was there a different result and how was it different? _____

22. At the end of the count, were ballot papers dealt with in the correct manner?
Yes _____ No _____
23. If NOT, what problems occurred? _____

24. Did the total number of votes counted equal to the number of people who actually voted Yes _____ No _____
25. If NOT, what was the difference? _____
26. What was the explanation for the difference? _____
27. Were the results declared in the correct manner? Yes _____ No _____
28. Was there any protest against the results at the counting centre? Yes _____ No _____
29. If YES, what was the protest? _____
30. Where there any postal votes at the Counting Centre? Yes _____ No _____

Closing Of Count

31. What time did the counting end? _____
32. Were ballot boxes sealed in a proper manner before being transported to the Tabulation Centre? Yes _____ No _____
33. Were political party monitors allows to add their to each ballot box? Yes _____ No _____
34. Did any party monitors accompany the ballot box to the District Centre? Yes _____ No _____
35. Which parties did they belong to? _____
36. Did any non-partisan monitor accompany the ballot box to the District Centre? _____

37. When did you arrive at the Counting Centre? _____
38. When did you leave? _____
39. At what time were you absent from the Counting Centre? _____
- Signature Of Monitor _____ Date _____
- Name Of Monitor Printed Clearly _____

Basic Information

1. Monitor's Name _____
2. Monitor's NGO _____
3. Monitor's Address _____
4. District _____
5. Name of the Tabulation Centre _____
6. What time did the tabulation start? _____

Receiving And Checking Ballots

7. Were any problems encountered in transporting the ballot boxes and other materials?
Yes _____ No _____
8. If YES, what was the problem? _____
9. Was the Returning Officer or Deputy Returning Officer present to receive the ballot boxes and materials.
Yes _____ No _____
10. Did the Returning Officer or Deputy check the material returned?
Yes _____ No _____
11. Were the ballot boxes properly sealed? Yes _____ No _____
12. If YES, explain _____
13. Did the Presiding Officer have reasonable explanation for the problems?
Yes _____ No _____
14. Were the ballot boxes properly sealed? Yes _____ No _____

Tabulation

15. Did the officials understand the tabulation process adequately? Yes _____ No _____
16. Did the Returning Officer count and reconcile the totals of different ballot, by checking the results against the form completed by the Presiding Officer? Yes _____ No _____
17. Did anyone interfere with the tabulation process? Yes _____ No _____
18. If YES, who was involved? _____
19. Was the tabulation completed according to correct procedures and in a timely manner?
Yes _____ No _____
20. Did party agents present any complaint or question? Yes _____ No _____
21. If Yes, how were the complaints dealt with? _____

Announcement of Results

22. Were the results of the tabulation reported promptly by the Returning Officer to those present? Yes _____ No _____
23. Did the party monitors accept the results? Yes _____ No _____
24. If NO, did party monitors try to provoke their supports to protest? Yes _____ No _____
25. Did the Returning Officer announce to the public in accordance with the regulations? Yes _____ No _____
26. Did the public accept the results? Yes _____ No _____

Response To The Results

27. What time did the tabulation end? _____
28. Were party members left to celebrate in peace? _____
29. If NO, what occurred? _____
30. Were members of the winning or losing parties permitted to disperse without harassment? Yes _____ No _____
31. If NOT, what happened? _____
32. What time did you arrive at the Tabulation Centre? _____
33. When did you leave? _____
34. At what times were you absent from the Tabulation Centre? _____

Signature of Monitor _____ Date _____

Name of Monitor Printed Clearly _____

Tally Form For NGO Representative Monitoring The Tabulation

Basic Information

1. Monitor's name _____
2. Monitor's NGO _____
3. Monitor's Address _____
4. Constituency _____
5. District _____

Parliamentary Results

Name of Candidate	Party/Independent	Number Of Votes

Name Of Polling Station

Name of Candidate	Party/Independent	Number Of Votes
Ballot Papers		
Valid Ballot Papers		
Invalid Ballot Papers		

Total Vote Cast In The Constituency

Total Number	Political Party	Number Of Votes
Ballot Papers		
Valid Ballot Papers		
Invalid Ballot Papers		

