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# **STAKEHOLDERS DIALOGUE TOWARDS DEMOCRATIC ELECTIONS IN ZIMBABWE CONFERENCE**

31 October -1 November 2016

BULAWAYO

## **CIVIC SOCIETY ORGANISATIONS COMMUNIQUE**

*2 November, 2016*

We, the undersigned Civic Society Organisations, having deliberated for two days at an All Stakeholders Conference convened by the Zimbabwe Elections Support Network (ZESN) in Bulawayo, note with concern the half-hearted attempts and lack of political will to reform the laws and institutions governing the conduct of elections in Zimbabwe.

We note with concern, that in the absence of meaningful legislative, administrative and political reforms, the 2018 elections will not be free and fair. The Electoral Act is not yet aligned to the Constitution, more than three (3) years after its promulgation into law. Furthermore, without substantive reforms and the alignment of the electoral law with Constitution the elections will be unconstitutional. In the interest of free and fair elections, we urge the government to implement the following key reforms:

### **LEGISLATIVE REFORMS**

1. The legal framework governing the conduct of elections in Zimbabwe falls short of regional and international standards. Existing laws, particularly the Electoral Act must be aligned to the Constitution.
2. There is also need to review and amend subsidiary legislation that is contradictory to Constitutional provisions on fundamental freedoms that impact on elections such as the Broadcasting Services Act (BSA), Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act (AIPPA).
3. In line with the Constitution, there is need for electoral regulations that create an enabling environment for free and fair elections and allow for the participation of citizens including women, youths, people living with disabilities and other disadvantaged groups.
4. There is need for legislation that enforces strict adherence to the Political Parties' Code of Conduct to address electoral violence, vote-buying and other malpractices.

5. There is need for legislation to register political parties with clear regulations spelling out funding mechanisms for political party election campaigns including disclosure requirements and limits (on funds that political parties may receive and spend on election campaigns).

## **ADMINISTRATIVE REFORMS**

1. There is a need for enhancing the Zimbabwe Electoral Commission's (ZEC) capacity to enable it to operate in a professional manner. There must be adequate and independent funding for ZEC to reduce the Commission's dependence on government and insulate it from Executive interference.
2. There is need to ensure the full independence of ZEC. Parliamentary oversight of ZEC is necessary to ensure independence and professionalism in the management of elections. The independence of ZEC entails that it is not subject to the direction and control of the Executive or any political party. Members of the Commission must adhere to professionalism by not acting in a partisan manner.
3. Election dispute resolution mechanisms such as Multi-party Liaison Committees and Electoral Courts must be strengthened to address electoral disputes timeously.
4. There is need for robust voter education on the Biometric Voter Registration (BVR) process to allow stakeholders and voters to understand the process.
5. ZEC is duty bound to ensure neutrality and integrity of the Voter Registration process and ensure that all information pertaining to the process is made available to the public.
6. ZEC should make available pertinent information on electoral processes in line with open data principles. The information should be complete, timely, easy to read and analyzable. Electoral Management Bodies in SADC are encouraged to share materials and equipment used in the conduct of elections.
7. There is need for enforcement of regulations on media conduct to ensure equitable access to the state media for all electoral contestants. Mechanisms to ensure that ZEC has the capacity to monitor and sanction the state media when these regulations aren't followed
8. ZEC should ensure the early accreditation and security of election observers.

## **POLITICAL REFORMS**

1. There is need for an enabling political environment conducive for the conduct of free and fair elections to be created before 2018.

2. There is need to deal with issues that impact on voter turnout and voting such as vote buying, violence and intimidation, political patronage, information control and weak institutions
3. There is need to ensure media pluralism and diversity as well as equitable access to state media by all electoral contestants. The state and ZEC must enforce the media code of conduct and ethical reporting.

*Having identified the aforementioned we propose the following strategies to ensure sustainable reforms for democratic elections in Zimbabwe:*

- Civil society will forge strategic alliances to push for reforms on identified key electoral issues.
- Civil society will undertake lobbying and advocacy initiatives for implementation of the constitutional provisions on free and fair elections
- Civil society will continue to engage different stakeholders nationally, regionally and internationally in its advocacy for free and fair elections in Zimbabwe
- Civil society will continue to conduct civic education to enhance awareness on electoral rights and facilitate meaningful citizen participation (including the participation of persons living with disabilities, youths and women and other disadvantaged groups) in the electoral processes.
- Civil society will continue to engage parliamentarians and independent commissions as part of a multi-pronged advocacy programme for free and fair elections in Zimbabwe.
- Civil society will continue to monitor the political environment, document and expose cases of human rights abuses and other electoral malpractices before, during and after elections.

**Endorsed by the following CSOs;**

1. Abameli Lawyers for Human Rights
2. Bulawayo Progressive Residents Association
3. Catholic Commission for Justice and Peace
4. Centre for Community Development in Zimbabwe
5. Chitungwiza Residents Trust
6. Christian Legal Society
7. Civic Education Network Trust
8. Combined Harare Residents Association

9. Community Tolerance Reconciliation and Development
10. Counselling Services Unit
11. Crisis in Zimbabwe Coalition
12. Election Resource Centre
13. Federation of African Media Women
14. Heal Zimbabwe
15. Ibhetsu Likazulu
16. Legal Resources Foundation
17. Masakhaneni Trust
18. Media Centre
19. Media Institute of Southern Africa-Zimbabwe
20. Media Monitoring Project Zimbabwe
21. National Association for Non-Governmental Organisations
22. National Association of Societies for the Care of the Handicapped
23. National Youths Development Trust
24. Organisation for Rural Association for Progress
25. Plumtree Development Trust
26. Progressive Teachers Union
27. Radio Dialogue
28. Research Advocacy Unit
29. Rooftop Promotions
30. Rural Communities Empowerment Trust
31. Shalom Trust
32. South Western Region Gender Network
33. Student Christian Movement of Zimbabwe
34. Transparency International Zimbabwe
35. VERITAS
36. Voluntary Media Council
37. Women in Politics Support Unit

38. Women's Action Group
39. Women's Coalition of Zimbabwe
40. Youth Empowerment and Transformation Trust
41. Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender
42. Zimbabwe Civic Education Trust
43. Zimbabwe Congress of Trade Unions
44. Zimbabwe Democracy Institute
45. Zimbabwe Election Support Network
46. Zimbabwe Human Rights Association
47. Zimbabwe Human Rights NGO Forum
48. Zimbabwe Institute
49. Zimbabwe Lawyers for Human Rights
50. Zimbabwe Organisation of Youths in Politics
51. Zimbabwe Peace Project
52. Zimbabwe Union of Journalists
53. Zimbabwe Women Lawyers Association