

# ZIMBABWE ELECTION SUPPORT NETWORK



## PRESS STATEMENT

### ZESN'S COMMENT ON THE REFERENDUM DATE AND DEPARTURE OF THE ZEC CHAIRPERSON

**Harare- 15 February 2013** - The Zimbabwe Election Support Network (ZESN) notes that the referendum date has been penciled for 16 March 2013, a date which is literally in four weeks' time. This raises serious concerns about citizens having a meaningful opportunity to learn about the draft constitution and to make an informed choice. The date also raises questions about the Zimbabwe Electoral Commission (ZEC) having sufficient time to organize a credible referendum consistent with laws of Zimbabwe as well as Southern African Development Community (SADC) and international principles and guidelines governing the conduct of democratic elections. The political decision to hold the referendum undermines the ability of the ZEC to enhance its capacity to conduct the election or strengthen its credibility with stakeholders and this might be a missed opportunity.

Further, ZESN is concerned that the referendum date was set before the draft was published in the government Gazette. In addition, citizens are yet to examine and study the draft as copies have not yet been availed to the public and plans for civic education by COPAC have not yet been implemented. ZESN also realizes that the proposed date will have the potential to disturb the already shortened school calendar given that most of the polling stations are normally located in schools and most teachers also serve as polling officials.

In addition ZESN notes that the announcement of the referendum date comes just 24 hours after the departure of the Chairperson of the ZEC Justice Simpson Mutambanengwe. In the past few years ZEC under the leadership of Justice Mutambanengwe has made strides in engaging stakeholders in a number of activities such as consultative meetings to strengthen synergies and relations. It is however sad to note that the time and energy that the institute and the government have invested in the Chairperson has been wasted particularly given that the resignation comes in an election year.

We urge that a new ZEC Chairperson be identified and approved expeditiously. According to the Electoral Amendment Act, 2012, Section 100B (1)(a) a chairperson is appointed by the President in consultation with the Judicial Service Commission and the Parliamentary Committee on Standing Rules and Orders. Further, subsection (2) stipulates that "The chairperson of the Zimbabwe Electoral Commission must be a judge or former judge of the Supreme Court or the High Court, or a person qualified for appointment as such a judge." ZESN hopes that this process results in the speedy appointment of a credible chair to steer the Commission.

The Network remains dedicated to the promotion of democratic elections in Zimbabwe. As such despite serious reservations ZESN will continue to watch the unfolding of the political developments in the country and provide independent non-partisan information on the electoral processes to the public, civil society, policy makers, political parties and electoral authorities. ZESN reiterates that Zimbabwe cannot afford to have anything but credible and legitimate elections as it transits from the Government of National Unity (GNU). End//

### PROMOTING DEMOCRATIC ELECTIONS IN ZIMBABWE

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