

# Zimbabwe Harmonised General Elections 23 August 2023:

## Compendium of Election Observer recommendations



**Zimbabwe Election  
Support Network**

Promoting Democratic  
Elections In Zimbabwe

# Compendium of Recommendations Made by the Election Observation Missions for the 2023 Harmonised Elections in Zimbabwe

## Zimbabwe Election Support Network

### Acknowledgements

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### About ZESN

The Zimbabwe Election Support Network (ZESN) is a coalition of 37 Non-Governmental Organisations (NGOs) which was formed in the year 2000. The major focus of the Network is to promote democratic processes in general and free and fair elections in particular. The Mission of ZESN is to promote democratic elections in Zimbabwe, and the Vision is a Zimbabwe where a democratic electoral environment and processes are upheld.

The objectives of ZESN are:

- To enhance citizens' participation in issues of governance and democracy.
- To promote democratic, free and fair electoral processes through objectively and impartially monitoring and observing elections.
- To provide the creation of a legal framework and election culture for free, fair and credible elections.
- To effectively gather, disseminate and communicate objective information about elections and democratic processes.

ZESN's core programme areas are:

- Monitoring and Observation
- Advocacy for Electoral Reforms
- Media and Information
- Electoral Education and Capacity Building, and
- Monitoring, Evaluation, Accountability and Learning.

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## Foreword

ZESN is pleased to publish this Compendium of the August 2023 Harmonised Elections observers' recommendations. These recommendations review the gaps in the legislative, administrative and political framework in which the 2023 Harmonised Elections in Zimbabwe took place, in line with the Constitution, which is the Supreme law of the country, the electoral laws of Zimbabwe, regional and international principles and standards governing the conduct of democratic elections. The Compendium brings to the fore 170 Recommendations that were proffered by various local, regional and international observer missions that observed the August 23 and 24 2023 Harmonised Elections. ZESN hopes that the 170 recommendations contained in this Compendium will lay a sound framework that will help in improving policy making and facilitating accountability and transparency towards future elections and electoral processes in Zimbabwe.

*These recommendations review the gaps in the legislative, administrative and political framework in which the 2023 Harmonised Elections in Zimbabwe took place, ...*

## Executive Summary

The Zimbabwe Election Support Network (ZESN) compiles a Compendium of all the election-related recommendations made by all the election observer groups after each harmonised election in Zimbabwe. This is the 2<sup>nd</sup> Compendium that consolidates the 2023 election recommendations (the first one was in 2018). Election Observer Missions (EOM) accredited to observe the elections scrutinised the pre-election, the actual polling and the post-election environment and assessed the freeness and fairness of the process to ascertain the legitimacy of the outcome. The Compendium aims to develop a change pathway through identifying gaps in the 2023 electoral processes and proposes the required changes to enable the achievement of a transparent, participatory, and accountable electoral system. It is therefore designed to cover the entire electoral cycle. The EOMs abided by the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observation (United Nations endorsement 2005). The overall assessment of the elections was based on the national regulatory framework, regional, and international protocols, standards, and norms that guide the conduct of democratic elections and the recommendations are aligned to these guidelines.

Elections in Zimbabwe are regulated by the 2013 Constitution (amended 2021) and the Electoral Act 2004 (amended 2018/July 2023). The Election Management Body (EMBs), the Zimbabwe Election Commission (ZEC), has a plethora of regulations and decisions that are complemented by the Political Parties Finance Act, the Maintenance of Peace and Order Act (MPOA), the 2004 Criminal Code and other legislation.

The gist of all recommendations relating to the conduct and management of the 2023 Harmonised election are given in the Matrix section of this Compendium. It delineates the direct recommendations made by the observers under different themes, summarises these into consolidated commendations, maps out activities to effect change for each recommendation and identifies the key institutions that must drive the electoral reforms. It thus provides readily actionable proposals to the election officials, relevant government institutions, political parties, and policy makers. This Compendium guides and aids the ZEC and other stakeholders on their roles in driving electoral reforms in Zimbabwe. Electoral reforms are always an ongoing process, and they require tremendous efforts and cooperation from all stakeholders including the public, to ensure the integrity and security of the elections. This Compendium gives a holistic perspective on the challenges faced during the elections, and equally seeks to provide a comprehensive picture in dealing with these challenges.

Six (6) international observer teams and three (3) domestic groups observed the August 2023 elections in Zimbabwe and made the recommendations that are summarised below.

	<b>Election management</b>	<b>Transparency</b>	<b>Inclusion</b>	
<b>PRE</b>	<ul style="list-style-type: none"> <li>• The legal framework</li> <li>• Operational procedures of the electoral law</li> <li>• EMB capacity &amp; training</li> <li>• Boundary delimitation</li> <li>• Voter registration</li> <li>• Candidate registration</li> <li>• Ballot preparation</li> <li>• Electoral campaigns</li> <li>• Electoral justice</li> <li>• Voter education</li> </ul>	<ul style="list-style-type: none"> <li>• Electoral codes of conduct</li> <li>• Candidates' nomination</li> <li>• Campaign finance - review &amp; disclosure.</li> <li>• Campaigning (online &amp; offline)</li> <li>• Dispute resolution</li> </ul>	<ul style="list-style-type: none"> <li>• Methodological standards in observation</li> <li>• Accreditation of observation teams</li> <li>• Voter &amp; civic education</li> <li>• Mechanisms for underrepresented groups</li> <li>• Updating and promoting codes of media ethics.</li> <li>• Media freedoms and access</li> </ul>	<p><b>Legal framework</b></p> <ul style="list-style-type: none"> <li>• Electoral &amp; constitutional legal review</li> <li>• Right to campaign freely</li> <li>• Right to freedom of assembly</li> <li>• Political Party Finance regulation</li> <li>• Universal suffrage</li> <li>• Transparency &amp; access to information</li> <li>• Women's participation</li> <li>• Internal party democracy</li> </ul>
<b>DURING</b>	<ul style="list-style-type: none"> <li>• Voting</li> <li>• Counting &amp; tabulation</li> <li>• Complaints &amp; appeals</li> </ul>	<ul style="list-style-type: none"> <li>• Voters' security</li> <li>• Polling station environment</li> <li>• Voting materials -logistical arrangements</li> <li>• Dispute resolution</li> </ul>	<ul style="list-style-type: none"> <li>• Media monitoring</li> <li>• Social media monitoring</li> <li>• Promote Political Parties Code of Conduct</li> </ul>	
<b>POST</b>	<ul style="list-style-type: none"> <li>• Post-election climate.</li> <li>• Electoral performance evaluation</li> <li>• Boundaries contestation</li> <li>• Voter registration data issues</li> <li>• Results announcements</li> </ul>	<ul style="list-style-type: none"> <li>• Oversight on results collating/tabulation</li> <li>• Peaceful resolution of disputes</li> <li>• Campaign regulations review</li> <li>• Campaign finance audits</li> </ul>	<ul style="list-style-type: none"> <li>• Domestic observation assessment reports &amp; leveraging recommendations.</li> <li>• Reviewing &amp; promoting inclusivity regulations</li> <li>• Media monitoring</li> </ul>	

## Introduction

A democratic electoral process is a *sine qua non* for building and consolidating democracy, strengthening governance, and institutionalising a political culture that provides respect for human rights, upholding the rule of law and the entrenching of democratic values. Election observers instil confidence in the conduct of electoral processes and help to promote the protection of civil and political rights of voters. Their recommendations are designed to lead to the correction of errors or weak practices and their oversight can help to deter manipulation and fraudulent behaviour. Their reports build and restore trust in the democratic process and enhance the legitimacy of the government that wins the elections.

International and regional protocols, norms, and standards for the conduct of democratic elections guide EOM in assessing elections and they stipulate recommendations on how the electoral process can be enhanced. (See Annex 1 for the instruments guiding the conduct of elections in the region). The EOM are composed of eminent men and women who have experience in the promotion of democracy as well as contributing to the promotion of peace, security, and stability in the country and region.

EOMs operate within the framework of the "Declaration of Principles for International Election Observation" that was adopted in 2005 by the United Nations and endorsed by the African Union alongside other organisations. The declaration specifies the code of conduct for international election observation, and the requirement to offer recommendations to enhance a country's democratic electoral process. These recommendations are meant to align a country's electoral processes with international and regional legal protocols, norms, obligations, and standards. African Heads of States have committed to binding legal instruments, and good practices in democracy building and it is against this background that EOMs assessed Zimbabwe's Harmonised Elections.

The following organisations observed the Zimbabwe 2023 harmonised elections:

- Southern Africa Development Community Election Observation Mission (SEOM)
- African Union and The Common Market for Eastern and Southern Africa Election Observation Mission (AU-COMESA)
- European Union Election Observation Mission (EU EOM)

- The Carter Center (Election Expert Mission)
- The Commonwealth Observer Group (COG)
- Electoral Commissions Forum of SADC Countries (ECF-SADC)
- Zimbabwe Council of Churches (ZCC)
- Zimbabwe Election Support Network (ZESN)
- Zimbabwe Human Rights Commission

The following organisations observed the Zimbabwe 2023 harmonised elections, but their reports and statements are not in the public domain.

- African Caribbean and Pacific Group (ACP)
- ACP-EU Joint Parliamentary Assembly
- Non-Aligned Movement (NAM)

## ZESN Compendium

The Zimbabwe Election Support Network compiled this compendium which collates the 2023 election-related recommendations that were made by all the election observer groups.<sup>3</sup> As with the first 2018 compendium, this second volume is based on the final reports and preliminary statements pertaining to the 2023 Zimbabwean Harmonised Elections. The core objective of the compendium is to present a consolidated data base of the key recommendations for the relevant Zimbabwean authorities and election stakeholders such as the Government, Parliament, Zimbabwe Election Commission, Chapter 12 institutions, Political Parties, Civil Society Organisations (CSOs), oversight and regulatory bodies and the media. The ZESN has attempted to present the meaning of the recommendations as portrayed by the EOM in this compendium. Proposed reforms encompass: Political electoral reform- which refers to changes in the political environment that an EMB operates within such as those addressing issues of more autonomy of EMBs; Administrative electoral reform which involve changes that are related more to the day-to-day work of an EMB, such as the introduction of new strategies, policies and structures, and legal electoral reform which refers broadly to changes to the constitution, electoral laws and rules and regulations.

<sup>3</sup>Some recommendations related to the wider political environment, the role of elected officials and policy agendas have been omitted on the grounds that they are not directly 'election-related'.

## Electoral reform process

The first step in electoral reform is the conducting of a post-election review by ZEC to 'assess the adequacy of the legal and management structures for elections, and of their performance in delivering credible elections' (International IDEA 2014a).

In Zimbabwe, the 2013 constitution specifies that no amendments may be made to the Electoral Law, or to any subsidiary legislation made under that law, unless the Electoral Commission has been consulted and any recommendations made by the Commission have been duly considered' (article 157(4)). This implies that ZEC is the first point of contact for any proposed reforms to the Electoral law. ZEC, like all public institutions, is required to consult and engage the public throughout the electoral process as explained below. In the Electoral Act Chapter 2:13 in 'The Additional functions and powers of Commission 5(c), ZEC is tasked with promoting co-operation between the Government, political parties, and civil society regarding elections. This makes ZEC the fulcrum on which electoral reforms hinge on and public participation is a *sine qua non*.

This 2<sup>nd</sup> Compendium of EOM recommendations must be read in conjunction with the 1<sup>st</sup> Compendium (2018) since many of the recommendations from the 2018 Harmonised election are still pending (See Annex 2 on the implemented reforms to date). This Compendium adds some new recommendations and emphasizes some from the previous election. There was a reduction in number of recommendations to 170 from the 223 in 2018. This is partly because some EOMs were not invited to observe the elections; and that some recommendations made earlier on in 2018 are still pending. The recommendations are organised in thematic areas aligned to electoral activities that are presented in a matrix format (See legend).

The ZESN is committed to supporting discussions on electoral reforms that are expected to take place before the 2028 elections and continues to monitor and track the degree to which the recommendations are being implemented since the 2018 elections. This will ensure the alignment of the 2028 elections with the country's constitution, and regional and international commitments the government has committed to.

### Electoral reform process (Cont...)

Be that as it may, noteworthy is section 149 of the Constitution of Zimbabwe which states that "Right to petition Parliament":

- (1) Every citizen and permanent resident of Zimbabwe has a right to petition Parliament to consider any matter within its authority, including the enactment, amendment, or repeal of legislation.

The importance of this provision juxtaposed with section 157(4) in that in as much as ZEC must be consulted in amendments to the electoral law, any citizen of Zimbabwe has a right to petition parliament over an amendment of any law, including electoral law. It is the prerogative of parliament to make laws and consult citizens in this process.

The Law Development Commission is an important institution in law reform in Zimbabwe. Its objectives as set out in the Law Development Commission Act Chapter 1:02 5 are to (a) to promote the development and reform of the law; (b) to review the law and its administration; (+c) to make proposals for bringing the law into accord with current national and international trends. This positions it as a key actor in driving electoral reforms.

Electoral reform is always an ongoing process that should always be guided by the principles of inclusion, transparency, equality, and the respect of basic human rights.

To this end, the country's Parliament's Portfolio Committee on Justice, Legal and Parliamentary Affairs, has held wide consultation on electoral reforms in the past to get the views of the stakeholders through public hearings and this approach should be adhered to in addressing the reforms raised in this Compendium. Citizen engagement throughout is essential for a successful reform process.

The Ministry of Justice, Legal and Parliamentary Affairs is a key institution that is involved in enacting all the electoral reforms where legislation is required. The same applies to Parliament which must pass the bills and the President must sign the laws. All public institutions are required to consult the public/citizens (including CSOs) in reviewing any changes to the law hence the recommendations are based on the assumptions that there will be always a public engagement process.

The Electoral Act [Chapter 2:13] was published as Act No. 25 of 2004 and came into operation on the 1 February 2005 (S.I. 17 of 2005). As of 28 May 2018, it had been amended by the following Acts:

Number and year	Short title	Date of commencement
17 of 2007	Electoral Laws Amendment Act 2007	11.1.2008
1.2008 1 of 2008	Local Government Laws Amendment Act, 2008	24.1.2008
3 of 2012	Electoral Amendment Act 2012	28.9.2012 <sup>1</sup>
5 of 2014	National Prosecuting Authority Act [Chapter 7:20]	2.1.2015
6 of 2014	Electoral Amendment Act 2014	20.8.2014
3 of 2016	General Laws Amendment Act 2016	1.7.2016
6 of 2018	Electoral Amendment Act 2018	28.5.2018
12 of 2023	Electoral Amendment Act 2023	19.7.2023 <sup>2</sup>

Still, more reforms are essential to even the democratic landscape and ensure fair competition.

The 2023 recommendations are presented in a matrix format that is explained below.

### Matrix Legend

Column 1:	Main themes
Column 2:	Sub themes
Column 3:	Original verbatim recommendations made by the EOMs.
Column 4:	Proposed reformulation of the recommendations to consolidate all similar recommendations, and to group into a smaller number (111) of recommendations.
Columns 5:	Change pathway
Columns 6:	Implementing agency/agencies

<sup>1</sup>All italicised recommendations require legislative changes.

<sup>2</sup>The Electoral Amendment Act, 2023 was published after the President published a proclamation calling the 2023 general election. Hence the amendments made by that Act did not have effect for the purposes of that election.

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
1	Electoral Framework	<p>Establishment of an Electoral Reform Taskforce</p> <p>Addressing EOM recommendations</p>	Institute comprehensive and timeous electoral law reform . The government should] establish an inclusive Electoral Reform Taskforce [ERT] <sup>1</sup> to deliberate on political, administrative, and legal reforms that are required to enhance the credibility of Zimbabwe's electoral processes (ZESN).	<p><i>Establishment of an ERT within the Law Development Commission to deliberate on , and articulate political, administrative, and legal reforms deemed essential for enhancing the integrity and credibility of Zimbabwe's electoral processes.</i></p> <p><i>Conduct a deliberative, consultative, and comprehensive review of Zimbabwe's electoral framework to address EOM recommendations in the management of elections.</i></p>	<p>Establishment of an ER T within the Law Development Commission or</p> <p>Appoint a National Electoral Reform Consultation Panel or</p> <p>Appoint an Inter - Ministerial Advisory Committee on the Electoral Reforms that will consult the public .</p> <p>[This will ensure Compliance with section 141 of the Constitution which is a must.]</p>	<p>ZEC</p> <p>Parliamentary Legal Committee</p> <p>Law Development Commission</p>



No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
2	Legal Framework	<p>Align electoral legislation with international and regional protocols.</p> <p>Harmonisation of Electoral Law with the Constitution</p>	<p><i>Legal framework</i></p> <p>The need for a comprehensive and meaningful election reform to bring legislation in line with regional and international standards espoused by Zimbabwe informed by the principles of transparency and inclusivity [EU EOM]. The electoral legal framework must be aligned to the Constitution of Zimbabwe. Parliament must undertake a comprehensive review of the electoral legal framework, identifying and addressing gaps, flaws and inadequacies [ZESN]. To enforce the electoral laws in terms of the Constitution and desist from selective application of the law (ZHRC).</p> <p>To ensure a coherent electoral framework, review the Electoral Act and align it with the 2013 constitution and regional and international standards adopted by Zimbabwe, as well as best practices for democratic elections. The reform process should take place well in advance of the next election period, and within an inclusive and transparent consultation process [Carter Centre</p>	<p><i>The Electoral Act and all legislation pertaining to the electoral process should be aligned to the international and regional norms, protocols, and standards (See Annex 1).</i></p> <p><i>The Electoral Act and all legislation on the electoral process should be aligned to Zimbabwe's Constitution (2013) to ensure citizens enjoy fulfilment of their civil and political liberties.</i></p> <p><i>In line with the Constitutional mandate to involve the public in governance processes, encourage transparency in electoral processes to enhance the democratic conduct of elections and broaden the participation of women and youth.</i></p> <p><i>Embark on timeous alignment of the Electoral Act with the Constitution (before 2028 elections) and implement electoral reforms to allow enjoyment of civic and political rights is imperative for the integrity of the 2028 election.</i></p>	<p>Ratify ACDEG</p> <p>Revision of Electoral Act (including s.18, s.23 s.9(5) s.12(1)(e), s.56(1) as read with s.72, s.40H, .192(4)</p> <p>Renew the mandate of the Inter-Ministerial Taskforce (IMT) on the Alignment of Legislation to the Constitution</p>	<p>Ministry of Justice, Legal and Parliamentary Affairs</p> <p>Law Development Commission</p> <p>ERT</p> <p>Parliamentary Legal Committee</p> <p>Chapter 12 institutions (oversight)</p> <p>Parliament (debate and adoption)</p>

Countries set up different institutions to spearhead electoral reforms. For instance in Zambia, an Electoral Reform Technical Committee (ERTC) was also established to assess the electoral system. South Africa appointed an Electoral Reform Consultation Panel in 2023.

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
3	Legal Framework	Timeframe for Legislative Reform	The process of alignment should be implemented timeously to avoid implementation and operational delays. Substantive changes to the legal framework should be finalised not later than 6 months before the next Harmonised Elections [ZESN].	<p><i>ERT should engage the public and deliberate broadly on electoral reforms, policy makers should formulate essential legislation, relevant administrative statutes must be drawn up to regulate the new changes and should be ready for implementation within a timeframe of 6-12 months.</i></p> <p><i>The substantive and procedural changes to the legal and electoral framework should be finalised no later than 6 to 12 months prior to an election.</i></p>	<p>Policy makers consult on the proposed reforms.</p> <p>Administrators' draft regulations to guide implementation.</p> <p>ZEC conducts an Electoral Reform Referendum to seek consensus and map the way forward.</p>	<p>ERT</p> <p>ZEC</p> <p>Portfolio Committee on Justice, Legal and Parliamentary Affairs</p>
		Political Party Recalls	Parliament should amend Section 129 (k) of the Constitution. There is need to register and regulate political parties to address issues of recalls as they bring into question the significance and relevance of elections [ZESN]. Amendment of the legislative framework - (Section 50 of the Electoral Act) the law should apply only to political parties to allow them to make replacements [ZESN]. Revisit and revise Sections 129 and 278 of the constitution, regarding recall processes, to include more safeguards against abuse or manipulation by political parties and leaders seeking to settle political scores (Carter Center).	<p><i>Regulate political parties conduct on recalling elected members and minimise abuse by parties' leadership. There is a need to specify rules on when recalls can occur and set boundaries on floor crossing.</i></p>	<p>Review Constitution Section 157 (1)(C) and 129(1)(k) and 129(1)(l)</p>	<p>Law Development Commission</p> <p>ERT</p> <p>Parliamentary Legal Committee</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
4	Election Administration	Autonomy of ZEC	<p>The ZEC and its staff should be able to operate without political influence at all levels, including in their appointment mechanisms and by removing governmental approval of its regulations [EUOM]. The ZEC should adhere to s11 (2) of the Electoral Act and Section 4.1.9 of the SADC Principles which disqualifies the recruitment of individuals who are closely related to political actors [SEOM]/ Section 237 and 238 of the Constitution should be revised to speak against nepotism and appointment of known political party affiliates as ZEC Commissioners [ZCC].</p> <p>Enhance the autonomy of the Zimbabwe Electoral Commission and acknowledge its constitutional mandate through administrative and regulatory measures, without approval required from the Ministry of Justice. Introduce mechanisms to address the lack of public confidence in the impartiality and inclusivity of the ZEC's appointment mechanisms as well as recruitment of lower-level election commission members. In addition to publishing the names of presiding officers in the official Gazette, publish clear selection criteria prior to recruitment (Carter Centre).</p>	<p><i>In compliance with regional and international norms, standards, and protocols, ZEC's autonomy requires reinforcement, realignment, and revisions of the Electoral Act on the following issues:</i></p> <p><i>Alignment with Sections 235 and 238 of the Constitution.</i></p> <p><i>Reporting directly to the National Assembly.</i></p> <p><i>ZEC funding should be acquired directly from the Consolidated Fund.</i></p> <p><i>Enhance ZEC's independence by removing the need for approval from the Minister of Justice, Legal and Parliamentary Affairs in the regulations of its conduct.</i></p>	<p>Align Electoral Act with Section 4.9 of the SADC Principles</p> <p>Review Sections 235, 237 and 238 of the Constitution</p> <p>Review 192(6) and (12) of the Electoral Act</p>	<p>ERT</p> <p>Law Development Commission</p> <p>Parliamentary Legal Committee</p> <p>Minister of Justice, Legal and Parliamentary Affairs</p>
5	Election Administration	Post-election Performance Review	<p>ZEC should examine the reasons for the late delivery of electoral material on Election Day and seek guarantees to ensure timely execution of all electoral preparations in future processes, ensuring that all voters have equal opportunities to vote [EUOM].</p>	<p><i>A post-election review of policies, procedures and staff capacity is recommended to identify the successes, challenges and lessons that can be learned to build and strengthen the ZEC's logistical capacity for future elections.</i></p>	<p>Document all post-election lessons learned (internal and external) and Update ZEC's Strategic Plan</p>	<p>ZEC</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
6	Election Administration	Alignment of ZEC Procedures with Constitution	ZEC should unpack provisions on extended voting. Extended voting should be provided for a day more i.e. 12 hours from morning to evening to reduce instances of voter apathy [ZESN].	<i>The ZEC should review its voting period extension procedures through a transparent exercise that is embedded in written down regulations. Such a practice ensures all voters exercise their right to vote.</i>	Review of 38(4) of the Electoral Act [Chapter 2:13] that gives the President power, to alter any day, time, or place of election.	ZEC ERT Parliamentary Legal Committee
7		Election day administration	ZEC should improve on Election Day management to ensure that all polling stations have all the required materials to avoid the disenfranchisement of voters and ensure that they are delivered smoothly [ZESN]. The ZEC should consider making the election calendar flexible to accommodate emerging issues, including court cases, and communicate the same to electoral stakeholders in a timely manner. Ensure effective communication between the Commission's headquarters and polling officials to help address any emerging issues, including logistics on election day [AU-COMESA].	Enhance ZEC communication systems to improve logistical coordination and arrangements of distributing voting materials. Constant communication channels between ZEC and field election officers on polling day must be improved to enable quick informed decision making and problem solving.	ZEC to implement a fast and reliable communication system across all its polling stations.  Consider allowing ZEC to procure its essential materials like transport for ballot boxes outside the usual government procedures.	ZEC HQ ZEC Provincial and District offices

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
8	Election Administration	ZEC Communication Strategy	<p>The ZEC should strive to improve the implementation of its communication strategy, to foster transparency, accountability and facilitate public trust in the Commission [SEOM]. ZEC should provide timely and comprehensive information on all aspects of electoral preparations to the public, including its decisions and regulations [EUOM]. The ZEC should strive to improve the implementation of its communication strategy, to foster transparency, accountability and facilitate public trust in the Commission.</p> <p>The ZEC should provide clear regular updates to the electorate and stakeholders during polling day, and in the period up to the announcement of results [ECF-SADC]. To increase and maintain transparency and credibility, provide information on a regular basis and allow for meaningful observation of activities. Information on the ZEC's decision-making and all other activities should be made available to the public through briefing papers posted on the official website and regular briefings for candidate representatives and observers in a timely and consistent manner. Consider developing a proactive communication strategy for the public in general and for political parties in particular (Carter Centre).</p> <p>To proactively communicate any developments affecting the election processes so as to allay the concerns of the electorate, political parties and other stakeholders (ZHRC).</p>	<p>ZEC requires a transparent communication system that is premised on a comprehensive Communication and Information Strategy. This builds confidence in the system as stakeholders feel included which ensures their ownership of the processes.</p> <p>ZEC should have a dedicated page on its website where it constantly informs and updates the public on all developments on all electoral processes.</p> <p>ZEC should consider having a physical press room for consistent and periodic updates on polling and counting days.</p>	<p>Conduct a Needs Assessment alongside the post-election survey.</p> <p>Design a comprehensive ZEC Policy on Information and Communications.</p> <p>Political parties should consider having own press rooms where they keep their supporters informed on all developments and convey peace messages</p>	ZEC ZMC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
9	Election Administration	ZEC Communications (Principles)	ZEC could have done more to build trust and instill confidence in the electoral process through effective communication [ØG].  Ensure that the ZEC informs the public on a regular basis in order to increase and maintain transparency and enhance its credibility, including through briefing papers posted on its website and regular briefings for candidate representatives and observers in a timely and consistent manner [SEOM].	<i>The ZEC's Communication and Information Strategy should comply with international principles for 'open data' and open access to information in public institutions. This can be via an online portal system for wider reach of stakeholders and citizens.</i>	Rebuild trust and confidence through a consistent and transparent Policy in ZEC's Strategy Documents	ZEC
10	Election Administration	Access to Information (Transparency)	Regular stakeholder engagements to strengthen communication between the Electoral Commission and its stakeholders. ZEC should employ a robust communication strategy for continuous engagement with stakeholders on key decisions made throughout the electoral cycle to consolidate public trust and confidence in ZEC as a body that preside the conduct of elections in Zimbabwe (ECF-SADC).	The ZEC should hold periodic consultations with all stakeholders throughout the entire electoral cycle [policy reforms, voter registration, nominations, campaigns, polling, results announcements and in the immediate post-election phase.]	ZEC should Institutionalize periodic consultations with all stakeholders.  ZEC to align its public consultation strategy with the Constitutive Act of the African Union Article 3(g)	ZEC
11	Election Administration	Consultation and engagement	A comprehensive programme to enhance measures of inclusion of all minorities into the electoral process, including affirmative action measures to facilitate obtaining IDs should be conducted [EUOM].  Zimbabweans should remain calm and peaceful whilst advocating social accountability from the newly selected leadership. There is need for the electorate to reconfigure the mindset from an understanding of participation as just numbers and subjects needed during elections but to transformative citizen agency [ZCC].	The ZEC should conduct an extensive engagement with all stakeholders throughout the electoral process. Public dialogues will help restore faith in the system. Stakeholder inclusion in the following processes is imperative: Election boundary delimitation (see recommendation No. 21) The design of the ballot paper (see recommendation No. 4B) The amount of the nomination fees (see recommendation No. 13)	Adoption of ZEC Policy on Stakeholder Consultation (e.g. through policy makers engagements with constituencies.)  Establish an E-governance participatory platform to enable broader participation	ZEC  Members of Parliament

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
12	Election Administration	ZEC Procurement (Technology)	The introduction of technology to enhance efficiency in the electoral process, including results management [ECF -SADC]. Ensure that access to the internet is affordable and reliable, particularly during peak periods of public interest events, such as national elections [Carter Centre].	ZEC should invest in digitalisation for multi-purposes such as voting/ tabulation system, voter identification system, and other election related digital technologies. [Refer also to Recommendation No. 46] Enhance access to internet during peak election activities such as registration, polling and results counting <sup>4</sup> .	Conduct election technology needs assessment.  Establish a technical digital technologies procurement team to meet commitments of the Declaration of Principles on Freedom of Expression and Access to Information in Africa (2019).	ZEC  Internet Service Providers
13	Election Administration	Facilitation for Participation of Women	The legislative framework should be revised to include binding provisions that compel political parties to increase representation of women on National Assembly candidate lists [AU-COMESA]. Enable commitments to ensure gender parity in subordinate legislation to promote participation of women and institute penalties for non-compliance. Support the selection and nomination of women candidates, including for proportional representation seats, by requiring their inclusion on party lists and applying incentives and sanctions to parties that do not comply with the requirements, including financial. Reduce the cost of candidate nomination fees to make it more affordable for people from all backgrounds to run for National Assembly seats. This will help to increase the participation of women, youth, and people with disabilities in the electoral process [Carter Centre]	<i>Cultivate a gender sensitive environment and have gender responsive policies for increasing the inclusion of women and youth as political contestants at the political party level and ZEC should enforce this during nomination of candidates. ZEC should encourage a fair competitive process by setting nomination fees that are affordable across the board. Consider affirmative action in nomination fees to be paid by women to encourage more females to contest for political offices.</i>	Reviewing ZEC's Policy on Women's Participation  Set gender sensitive and gender responsive policies on nomination fees.  Limiting nomination costs in the Electoral law  Parliament to push for affirmative action related nomination fees for women candidates.  Amend Electoral Act Section 45G and Section 46(19)	ZEC  ERT  Policy makers  Political Parties  Zimbabwe Gender Commission  Parliamentary Legal Committee

<sup>4</sup>Principle 37(2) of the Declaration calls on States to "recognise that universal, equitable, affordable and meaningful access to the internet is necessary for the realisation of freedom of expression [and] access to information.

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
13			<p>A review of candidate registration requirements should be made to see they are in line with international commitments and their implementation consistently applied by ZEC [EU-EDM].</p> <p>ZEC should introduce a framework that make the process of determination of nomination fees more consultative and generally acceptable to eliminate the perception that the discretion to set the nomination fees for candidates is used by ZEC to make the requirement prohibitive and restrictive as a way of eliminating competition.</p>			ZEC
14	Election Administration	Nomination Fees	Nomination fees must be affordable to enable not only wealthy candidates from running for National Assembly seats [Carter Centre]	<i>Review the increased candidate nomination fees for affordability and greater participation by all socio-economic categories.</i>	ZEC Political parties Parliament Revision of Electoral Act	ZEC ERT Parliamentary Legal Committee



No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
15	Election Administration	Removal of Accreditation Fees for Election Observers	ZEC should consider a waiver on domestic observer groups' accreditation fees. ZEC should make the accreditation process less cumbersome by removing the requirement for applicants to present themselves physically at accreditation centres. To enhance transparency, the Observer Accreditation Committee or ZEC should provide reasons for rejection in cases where applicants are denied accreditation [ZESN]. The ZEC should accredit Civil Society Organisations (CSOs) timeously to provide voter education throughout the entire electoral cycle. ZEC should further decentralise the accreditation process for local observers [AU-COMESA]. The accreditation process, outsourced by law to an accreditation committee including various state actors, lacked transparency [EU EOM]. Streamline the accreditation process for voter educators. The current process is slow and bureaucratic, which makes it difficult for organisations to obtain accreditation in a timely manner. The process should be simplified and made more efficient. Give the ZEC full authority to accredit observers. This will ensure that the ZEC is the sole decision-maker on who can observe elections in Zimbabwe and that the process is not influenced by other government institutions. Reduce or eliminate accreditation fees for observers (international and domestic) to encourage robust engagement of civil society in elections (Carter Centre).	Enhance transparency by publicising criteria for election observation applicants and give adequate timeframes for the process. Voter educators should be accredited to work throughout the electoral cycle. Remove accreditation fees and the need for physical presence at accreditation centres. Use digital technologies to enhance efficiency and transparency in accreditation.	Review Electoral Act (section 40H(1) on ZEC Regulations on Accreditation <sup>5</sup>  Decentralise accreditation to the provincial level.  Design an online accreditation system	ZEC Accreditation Committee  ERT

<sup>5</sup>Ultimate authority over accreditation of observers lies with an Accreditation Committee which includes one member from the Office of the President and one delegate from three Ministries. The process of accreditation is set by the Act (section 40H(1)), and not the ZEC.

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
16	Voter Registration	Timeframe to Avail the Voters Roll	<p>ZEC should strictly follow the provisions of the Constitution on transparency, access to information, and timeously avail the voters roll in accordance with the stipulations under the Electoral Act [SEOM, ZHRC].</p> <p>ZEC should avail the voters roll to all stakeholders in a format that is easy to analyse and, within reasonable time. The Commission should establish clear timelines for the production and distribution of the preliminary and final voters roll [ZESN].</p> <p>ZEC should ensure timely availability of the voters' roll for inspection and should champion law reform which eliminate the scenario where electoral laws are interpreted in a manner that is subservient to other pieces of legislation. An example should be given of the Cyber and Data Protection Act which is used to restrict availability of the Voters' roll for purposes of protection of private personal details. Increase the inspection period of the voters roll and make the roll available at polling stations ahead of polling day. [ECF-SADC]. Ensure that the ZEC publishes regular, disaggregated updates of the voters' roll to increase transparency and help build trust in the accuracy of the registration process. Also, require the ZEC to provide copies of the final voters' roll in a user-friendly format and in a timely manner. Parliament should consider revising Section 62 of the Electoral Act so that it outlines a specific timeline on when the ZEC is expected to release the voters roll [ZCC].</p>	<p><i>Amend the electoral legislation to stipulate a specific timeframe for availing both the preliminary (provisional) voters' roll and the final voters' roll.</i></p> <p><i>Candidates must access their prospective constituency voter roll once their nomination is confirmed.</i></p> <p><i>Establish measures to protect citizens' data and protect personal information.</i></p>	<p>Revision of Electoral Act and ZEC Regulations. Review the Cyber and Data Protection Act.</p>	<p>ZEC</p> <p>ERT</p> <p>Parliamentary Legal Committee</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
17	Voter Registration	Publication of Data	Stakeholders should be granted meaningful and timely access to the final voters' roll in analysable formats before Election Day [EUOM]. The Commission should avail a readable and analysable voters roll to all candidates and political parties at least 30 days before the elections to allow political parties and candidates to effectively analyse and utilize the voters roll [ZCC].	Publicise data on all changes to the voters' roll.	ZEC Regulations and Policy	ZEC
18	Voter Registration	Voters' Roll Audit	ZEC should undertake a comprehensive audit of the voters' roll and proactively disclose all relevant information regarding voter registration, including its efforts to ensure the accuracy of the database [EU-EOM]. Improve the comprehensiveness and accuracy of the voter registry (Carter Centre).	To build public confidence, the ZEC should commission independent external audits to assess the quality of the voters' roll.	ZEC to revise Regulations and Policy	ZEC
19	Voter Registration	Inspection	Increase the inspection period of the voters roll and make the roll available at polling stations ahead of polling day [ECF - SADC]. Provide electoral stakeholders with a copy of the final voter roll that can be easily reviewed or audited. Publish regular, disaggregated updates of the voters' roll to increase transparency and contribute to building trust in the accuracy of the voter registration process [Carter Centre].	To ensure universal and equal suffrage as well as the right to vote, there is a need to : Review and simplify procedures for the identification of voter addresses ( e.g remove pre-commissioned affidavits) . Disseminate information on polling station / ward / constituency for each voter . Design a system for a consistent format for the registering of voter addresses.	Revise ZEC Regulations	ZEC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
20	Voter Registration	Form of Data	<p>ZEC should avail the voters roll to all stakeholders in a format that is easy to analyse and, within reasonable time [ZESN]. All stakeholders should be granted meaningful and timely access to the final voters' roll in analyzable formats before Election Day. There is need for ZEC to publish the complete PS list data with codes and voter numbers, in a database friendly format [EUEOM].</p> <p>The Commission should establish clear timelines for the production and distribution of the preliminary and final voters' roll. ZEC should also ensure that the process of cleaning up and deduplication of the voters' roll is transparent. The results of the cleaning up and the duplication process must be published.</p> <p>Furthermore, the Commission should provide mechanisms for redress which are not cumbersome for those who would have been put on the exclusion list.</p>	<p>Avail the preliminary (provisional) and final voters roll electronically.</p> <p>Data should be in a user friendly format for easy analysis and verification of the accuracy of the roll.</p> <p>ZEC should determine clear timeline for production and publicising of the voters' roll.</p> <p>Establish a transparent process for querying anomalies on the voters' roll</p>	<p>Amend Electoral Act sections 27-30</p> <p>Amend ZEC Regulations and Policy</p>	ZEC
		Polling facilities	<p>Introduce additional measures to guarantee the right to vote in secrecy and enable voters with visual impairments to vote without assistance, such as tactile ballot guides, as well as improved lighting in polling stations, including temporary structures such as tents, or by adjusting the voting hours. Provide sufficient lighting in all polling stations, including temporary sites such as tents, to improve visibility for voters with visual impairments so they can vote without assistance (Carter Centre)</p>	<p>Consider adopting measures for enabling secret voting for the disabled through attaching tactile voting devices to the front of a standard ballot paper. These can be in braille too to aid visually impaired voters and Polling booths should have adequate lighting.</p> <p>ZEC should make Polling Stations Officials aware that blind and visually impaired voters are entitled to have someone (of their own choice) accompany them to help them vote.</p>	<p>ZEC designs aids to assist independent voting by the visually impaired.</p> <p>Enforce section 59 of the Electoral Amendment Act.</p> <p>Put measures in line with Article 29 of the CRPD which requires State parties to guarantee that persons with disabilities have opportunity to enjoy political rights.</p>	ZEC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
21	Constituency Boundary Delimitation	Legal Framework for Boundary Delimitation	<p>The delimitation process should be conducted in a more timely manner, in order to ensure that it does not negatively impact the preparation for the electoral process. Furthermore, ZEC should make the process more consultative and open to public participation [ECF -SADC/Carter Centre]</p> <p>Constitutional provisions should be duly enforced regarding how to draw new boundaries for electoral districts [EUOM].</p>	<p><i>Amendment of the Electoral Act should specify an elaborate legal framework for boundary delimitation. This ought to be an inclusive and participatory process with concerned stakeholders.</i></p> <p><i>Alignment with the constitution will enable enforcement in the drawing of new boundaries.</i></p>	<p>Consider an independent) commission responsible for electoral constituency boundary demarcation.</p> <p>Revision of the Electoral Act and ZEC Regulations.</p>	<p>ZEC</p> <p>Parliamentary Legal Committee</p> <p>Boundary Delimitation Commission</p>
22	Constituency Boundary Delimitation	General Principles for Delimitation Process	<p>The Government of Zimbabwe through ZEC and the Parliament should come up with delimitation regulations that comprehensively address issues such as stakeholder engagement and legal redress mechanisms [ZESN], To adequately educate voters on the changes brought about by the delimitation process (ZHRC). To uphold the principle of equality of the vote, implement constituency boundary delimitation in line with constitutional requirements. Delimitation should take place well in advance of the next election period and within a transparent consultation process (Carter Centre).</p>	<p><i>An inclusive election boundary review should be conducted to design delimitation regulations and establish legal boundary dispute resolution channels.</i></p>	<p>Establish clear boundary delimitation regulations.</p> <p>Consult the public in a review of the current boundaries .</p> <p>Review Electoral Act [Chapter 2:13] 37A(1)</p> <p>New boundary creation to comply with S161(6) of the Constitution</p>	<p>ZEC</p> <p>ERT</p> <p>Parliamentary Legal Committee</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
23	Civic Awareness and Voter Education	CVE (Objectives)	<p>ZEC should lessen accreditation requirements for persons and organisations intending to conduct voter education [ZESN]. Introduce mechanisms to ensure that the accreditation of election observers is the sole responsibility of the ZEC (Carter Centre).</p> <p>ZEC needs to ensure that CSO accreditation for voter education is done timeously, to allow for comprehensive voter education throughout the electoral cycle (AU COMESA). To ensure that aspiring candidates file their nomination papers on time and avoid submission of documents on the last day thereby putting pressure on the elections management body (ZHRC).</p> <p>ZEC should also strengthen the implementation of continuous voter education throughout the election cycle and should conduct comprehensive voter education for nomination procedures to ensure that prospective candidates are acquainted with Nomination Court requirements.</p> <p>Education to be strengthened to deal with prohibited conduct such as undue influence on voters including what was described as polling exit polls (ECF-SADC).</p>	<p><i>To ensure the integrity of the vote, accreditation procedures should be more user friendly and transparent, and ZEC should have the sole mandate on the accreditation process.</i></p> <p><i>Continuous voter education should be allowed to go on throughout the election cycle. This will increase public oversight, raising of civic awareness and extensive voter education.</i></p>	Revision of sections 40C(1)(g) and 40C(2) of the Electoral Act	<p>ZEC</p> <p>ERT</p> <p>Parliamentary Legal Committee</p> <p>Parliament</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
25	Civic Awareness and Voter Education	Development of CVE materials for Persons with Disabilities (PWD)	ZEC should include sign language in its official communication with the public and provide voting materials that ensure the secrecy of the voter for the visually impaired. Reform of the Disabled Persons Act is necessary for the Act to be in sync with the spirit and letter of the CRPD on electoral and political participation. Disaggregation of electoral data by disability should be made a priority to ensure patterns of inequality are documented and addressed [ZESN]. Review the legal framework to increase representation of persons living with disabilities in elective positions [AU COMESA].	<i>To ensure the inclusion and full participation of disabled persons, ZEC should develop electoral materials that can be communicated to targeted disabled groups. Reviewing the Disabled Persons Act to enhance electoral and political participation is imperative to ensure this community of their civic and political rights.</i>	Review Disabled Persons Act Revision of CVE Strategy and Administrative procedures Develop materials for use by Disabled persons.	ZEC  Parliamentary Legal Committee
26	Participation and Representation (PWD)	Domestication of CPRD	The Disabled Persons Act should effectively incorporate the Convention on the Rights of Persons with Disabilities into domestic law [EUOM]. To increase participation of people with disabilities in political life, introduce enabling legislation to introduce temporary quotas for people with disabilities for the National Assembly, provincial/metropolitan and local councils with mandatory requirements for political parties to nominate people with disabilities supported by sanctions. This should be preceded by a participatory consultative process with relevant stakeholders (Carter Centre).	<i>Domesticate the Convention on the Rights of Persons with Disabilities to allow inclusion and participation by disabled persons. Follow Section 327 of the Constitution on the domestication process. Increase inclusion and participation of the disabled by setting quotas for all institutions and at the local, district, provincial and national levels.</i>	Domesticate the Convention on the Rights of Persons with Disabilities  Adoption of legislation and regulations for policy implementation to address disabled persons needs	Ministry of Justice, Legal and Parliamentary Affairs  ZEC  ERT  Parliamentary Legal Committee

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
27	Participation and Representation (PWD)	Participation by Persons with Disabilities (PWD) in all Aspects of Elections	Review the legal framework to increase representation of persons living with disabilities in elective positions [AU COMESA].	<i>Facilitate the participation of Persons with Disabilities in elective positions and across all aspects of election management processes.</i>	Revision of Disabled Persons Act (DPA) and Electoral Act	ZEC  National Council of Disabled Persons of Zimbabwe Political Parties
28	Participation and Representation (PWD)	Accessibility of Public Buildings and Polling Stations	Ensure that polling stations are accessible to persons living with disabilities and the elderly [AU COMESA].	Public buildings should be made accessible to all citizens. The ZEC should ensure mechanisms are put in place to facilitate voting by people with disabilities including locating polling stations and registration centres in places that are easily accessible for persons with a physical disability.  ZEC should ensure the provision of material for use by PwDs including tactile ballot papers, braille, interpreters etc.	Adopt regulation to provide infrastructure to enable access by the disabled and locate Polling/Registration facilities within easy reach.	ZEC
29	Participation and Representation (Gender)	Compliance with SADC Protocol on Gender and Development	The Government of Zimbabwe should align the Electoral Act to the Constitution of Zimbabwe to specifically incorporate the gender equality provisions in Sections 3, 17, 56 and 80 [ZESN]. The Electoral Law should empower ZEC to reject political party lists that do not conform to gender equality principles for 50/50 representation [ZESN]. All Stakeholders including political parties should review the political and social environment with an aim to promote gender parity in politics and governance [SEOM].	<i>The Zimbabwe Gender Commission develop strong legal mechanisms and enforceable measures to encourage</i> ..... ..... ..... <i>Development.</i>	Revision of Electoral Act to align with Constitution Sections 3, 17, 56 and 80	ERT  ZGC  Parliamentary Legal Committee  Law Development Commission



No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
29	Participation and Representation (Gender)	Representation Quotas for Women	There is need to amend the current provisions on women and youth quotas to grant effective gender equality and fair youth representation in line with the Constitution [EUOM]. Enable commitments to ensure gender parity in subordinate legislation to promote participation of women and institute penalties for non-compliance. Level playing field by issuing directives on how the party lists should be structured in good time. Guarantee the representation of young women on proportional representation seats with stronger safeguards for priority listing, supported by sanctions and incentives, including financial, such as waiving nomination fees for young candidates. Review and amend existing mechanisms aimed at promoting youth and women's participation to ensure greater representation in elective offices in line with the constitution and in close consultation with all relevant stakeholders (Carter Center).	<p><i>Parties should have mandatory quotas for women candidates with measures to enforce compliance. Legislation can be enacted to compel gender parity with punitive measures for non-compliance.</i></p> <p><i>Reserving seats for women only can provide a solution that allows women to compete against each other [e.g. the 60 seats currently reserved for women to be elected by proportional representation in 10 six-seat constituencies].</i></p>	Revision of Electoral Act to align with Constitution Sections 17, 120 & 124	ERT ZEC ZGC Parliamentary Legal Committee
30	Participation and Representation (Youth)	Peaceful Participation of Youth	To safeguard the right of assembly, amend Maintenance of Peace and Order Act (MPOA) to limit discretionary application and ensure that its implementation never unduly limits the right to assemble, with any restrictions being clearly prescribed by law, necessary in a democratic society and proportionate to the interests they aim to protect [EUOM]. Act collectively to prevent the use and spread of misinformation, derogatory, or incendiary speech (Carter Centre).	<p><i>Safeguard the right to participation by amending the MPOA and prescribing consistent regulations that do not impinge on democratic processes by all and sundry. Discourage arbitrary application of the law and minimise violence through signing peace pledges.</i></p>	Amend MPOA  Develop enforceable peace pledges within and across political parties.  Establish transparent procedures for all public meetings.	Ministry of Justice, Legal and Parliamentary Affairs  Law Development Commission  Political Parties

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
31	Political Party Functioning	Political Party and Campaign Financing	<p>The Political Parties Finance Act should be amended to enable smaller parties to benefit from state allocated funding. Political parties should declare their source of funding to ensure transparency in the interest of the public. Political parties that receive funding under the Political Parties Finance Act should be subjected to public scrutiny to ensure accountability on the use of the taxpayer's money [ZESN].</p> <p>Introduce regulations on campaign expenditures, including regular submission of financial reports by political parties/independent candidates; the publication of financial reports accessible to the public; and the introduction of graduated sanctions for violations of campaign finance regulations (Carter Centre).</p> <p>To promote transparency and accountability, ensure that campaign financing is subject to disclosure and reporting requirements, as well as oversight by an independent authority, given the right and capacity to audit accounts and sanction violators. Make political issue advertising and thirdparty campaigning subject to similar regulation [EU EOM].</p> <p>Introduce a mechanism to ensure that political parties and candidates comply with any campaign finance regulations put in place, and that trained and competent professionals within an independent institution are mandated to audit campaign expenses (Carter Centre).</p>	<p><i>Amend the Political Parties (Finance) Act to enable access of state funding by smaller parties.</i></p> <p><i>The Political Party Funding Act should introduce a strict regulatory framework for the private funding of political parties. This includes setting limits for the source, size, and use of donated funds by political parties.</i></p> <p><i>There should be a public declaration of donated funds [with set limits on donated amounts] and public reports on all electoral expenditures prior to approval of nomination, and after the declaration of election results.</i></p> <p><i>All financial records should be audited after an election.</i></p> <p><i>The ZEC should monitor the declarations of donations political parties and donors and publish these periodically on its website.</i></p> <p><i>The IEC must annually submit a report to Parliament on the audited annual financial statements submitted by political parties.</i></p> <p><i>The ZEC should ensure that all political parties comply with obligations in terms of the Political Party Funding Act.</i></p>	Revision of Political Parties (Finance) Act	<p>ZEC</p> <p>ERT</p> <p>Parliamentary Legal Committee</p> <p>Law Development Commission</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
31		Campaigning	Encompass campaigning on social media, giving the ZEC a mandate to monitor the campaign on social media, and the power to investigate, warn, and sanction violators. Amend the legal framework to prohibit campaigning by civil servants and senior officials on social media and provide for enforcement mechanisms and proportionate sanctions. Promote the right to freedom of peaceful assembly to enable enjoyment of the rights of freedom of association and expression, especially in the context of campaigning [Carter Centre]	<i>Allow the freedom for politicians to campaign on social media with ZEC exercising oversight. Civil servants should not be allowed to campaign on social media and violators should be penalised. This requires a tolerant political culture that embraces diversity to allow for the enjoyment of civic and political freedoms.</i>	Amend Section 160J of the Electoral Act to establish parameters for social media campaigning.	ZEC-Media Monitoring Commission (MMC)  ZMC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
32	Political Party Functioning	Legal Measures to Curb Misuse of State Resources in Election Campaigning	There is a need to introduce legislative measures, including effective and dissuasive sanctions, to mitigate the advantages of incumbency and guard against the misuse of state resources. Also introduce mechanisms for monitoring and sanctioning partisanship of traditional leaders and civil servants to even the playing field [EUOM/Carter Center].	<i>Legislative measures should be introduced to prohibit the abuse of state resources, such as government-owned vehicles, property, and funds for election campaigning by contestants and/or their supporters. Adopt legislation to minimise the advantages of incumbency through: Providing clear rules on the involvement of civil servants in political activities. Prohibiting the distribution of food aid, agricultural inputs, and other social/welfare benefits during the campaign period in a politically partisan manner . Establishing punitive measures for violations of the provisions.</i>	Revision of Electoral Act (introduce new Provisions)  Give ZEC authority to enforce these provisions.	ERT  Law Development Commission  Parliamentary Committees Parliament
33	Political Party Functioning	Revision of Code of Conduct	Political parties must stop political activities of affiliates on election day [AU COMESA]. To enforce the Electoral Code of Conduct for Political Parties, Candidates, and other Stakeholders to deal with electoral malpractices (ZHRC).	<i>The Code of Conduct for Political Parties and Candidates and other stakeholders should have provisions enforcing the cooling off period prior to polling.</i>	Revision of Code of Conduct	ERT  Parliamentary Committees Parliament

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
34	Political Party Functioning	Culture of Non-Violence	<p>Political parties should improve internal democratic processes and policies or rules governing the selection of leaders and candidates. Political party leaders and their supporters should respect the civil and political rights enshrined in the Constitution, including freedom of association and freedom of the media. Political parties should aim to create a peaceful environment for journalists to operate during elections [ZESN].</p> <p>Parties should have honest and inclusive engagements towards establishing a firm foundation for the transformation of Zimbabwe. Political party leaders and supporters should refrain from making statements that incite violence or threaten peace in the country. It is crucial for political parties to promote a culture of tolerance, unity and respect for divergent political opinions [ZCC]. To respect and uphold the fundamental human rights and freedoms of the electorate and to always exercise political maturity and tolerance (ZHRC).</p>	<p>Encourage entrenchment of democratic values and processes in political parties and cultivate a democratic culture that emphasizes tolerance for diversity and non-violence.</p> <p>Political parties should have intra-party codes of conduct that uphold the civil and political rights enshrined in the constitution. Political leaders should refrain from the use of violent political language and enforce punitive measures on transgressors.</p>	<p>ZEC should popularise the Code of Conduct for regulating both intra and inter-party-political behaviour. Political parties publicise their codes of conduct.</p>	<p>ZEC</p> <p>Political Parties</p>
35	Political Party Functioning	Primary Elections	<p>ZEC needs to ensure that political party supporters and candidates abide by the electoral code of conduct. Political parties should strengthen inter political party democracy structures to promote more inclusive and competitive selection of candidates during elections [AUCOMESA]. A Constitutional provision should be considered that requires for political parties to be registered with ZEC and empower the Commission to act against political parties who violate the Electoral Act [ZCC].</p>	<p>Primary elections should have regulations stipulating the democratic procedures for the selection of candidates. Political parties should follow transparent processes for the primary elections and design voters' rolls that can be verified.</p> <p>ZEC should have authority over political parties so it can enforce complaints.</p>	<p>Adopt a New Legislation (Political Parties Regulation and Finance Act)</p>	<p>ERT</p> <p>ZEC</p> <p>Law Development Commission</p> <p>Parliamentary Committees Parliament</p>

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
36	Political Party Functioning	Accessibility of Political Parties to Persons with Disabilities (PWDs)	Political parties should include disability as a priority in their founding documents to ensure their representation and participation in electoral and political processes [ZESN]. To promote more active participation of people with disabilities in electoral processes, improve disability-related data collection and analysis in various stages of the electoral process, including voter registration, voter education, candidate nomination, and polling. Conduct more rigorous and targeted efforts to register young (first-time) voters, including in rural and remote areas, as well as young people with disability (Carter Centre).	Political parties should have inclusive policies that creates space for Persons with Disabilities across the gender divide and the electoral cycle.	Revision of Political Party Statutes  ZEC Development of Policies on inclusion of the disabled  Consider introduction of legal obligations (in the Political Party Act)	ERT  Political Parties Parliamentary Legal Committee  Parliament
37	Fundamental Freedoms	Civil & political freedoms Report on ACDEG	Remove repressive provisions in laws such as the Maintenance of Peace and Order Act and the Patriotic Act, as well as the Private Voluntary Organizations legislation, to allow full participation of citizens in public affairs, including respect for the freedoms of assembly, association, speech, and the press, as established under the Zimbabwe Constitution and in line with the country's regional and international human rights commitments. Remove subordinate legislation limiting the right to campaign such as the notice requirement for public gatherings and demonstrations, and limitations of freedom of expression under the so-called Patriotic Act. Put in place effective mechanisms to protect space for participation in public affairs for all stakeholders and to reassure civil society and other stakeholders that they are free to operate and can do so without repercussions (Carter Centre).	Create an environment that allows for free and fair democratisation processes such as elections. <i>Align Electoral Act and administrative procedures to allow the full enjoyment of political liberties. Remove restrictions that impinge on freedom of association.</i>	<i>Ratify ACDEG and domesticate all provisions relating to electoral processes and incorporate into the law by an Act of Parliament [section 327(2)(b) of the Constitution].</i>  Align Electoral Act with Constitution and ACDEG	ERT  Law Development Commission  Parliamentary Legal Committees  Parliament

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
38	Electoral Justice	Judicial Appointments	There is need to review the appointment procedures of Judges to guarantee the separation of powers to safeguard the independence of the Judiciary [EUOM]. To enhance trust in the judiciary, protect its independence and preserve the role that it plays in safeguarding the human rights and freedoms, amend the appointment procedures for judges to guarantee separation of powers and to not allow for executive involvement in the selection of High Court judges (Carter Centre).	<i>Amend the Constitution to encourage the impartial appointment of the judiciary to comply with Section 182 of the Constitution.</i>	Amend the Constitution	ERT Ministry of Justice, Legal and Parliamentary Affairs Judicial Services Commission Parliamentary Legal Committee
39	Electoral Justice	Timeframe for Adjudicating Pre-election Complaints and Appeals	Legal deadlines for the adjudication of complaints need to guarantee a timely and effective remedy. The legal timeframe for the resolution of electoral disputes should be introduced to provide expeditious decisions in line with the electoral calendar [EUOM]. To decentralise and speed up the investigations of all cases of politically motivated violence (ZHRC). Clearly delineate the jurisdictions of the High Court and the Electoral Court to avoid any overlap or delays. The timeframe for election-related disputes should be shortened to ensure adjudication of cases under expedited procedures, especially if filed on election day or the days preceding it to allow complainants to fully exercise their rights. Clearly distinguish which types of complaints could be examined by the ZEC in public sessions with clear procedures and timelines in place, while the ZEC's decisions on electoral matters should continue to be subject to appeal in court (Carter Centre).	<i>Establish time frames for dispute resolution through the entire court system, and the clearance of pre-election applications. Determine the type of cases to be heard by the different courts- the High Court and the Electoral Court- and give this authority to provincial and district level justices. Specify the time frames for processing all the cases. ZEC should mediate in some of the electoral disputes and these should be specified, but with the right to appeal in higher courts. Enhance overall access to justice.</i>	Revision of legislation on electoral dispute resolution and Establish time bound Court Procedures/ Rules	ERT ZEC Parliamentary Legal Committee

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
39	Electoral Justice	Timeframe for Adjudicating Pre-election Complaints and Appeals	Expedite the resolution of the emerging issue relating to the arrest and detention of some civil society actors within the merits of the law [AU COMESA]. Ensure that any security deposits required by the courts to cover potential settlements are not prohibitive to enhance access to justice (Carter Centre).	<p><i>Establish time frames for dispute resolution through the entire court system, and the clearance of pre-election applications.</i></p> <p><i>Determine the type of cases to be heard by the different courts - the High Court and the Electoral Court - and give this authority to provincial and district level justices.</i></p> <p><i>Specify the time frames for processing all the cases.</i></p> <p><i>ZEC should mediate in some of the electoral disputes and these should be specified, but with the right to appeal in higher courts.</i></p> <p><i>Enhance overall access to justice.</i></p>	Revision of legislation on electoral dispute resolution and Establish time bound Court Procedures/ Rules	ERT ZEC Parliamentary Legal Committee
		Multi-Party Liaison Committees (MPLC)	Fully utilize MPLCs as an alternative dispute resolution mechanism. MPLC meetings should be held on an agreed-upon schedule and their work based on clear processes to enable the ZEC to more readily resolve disputes]. Repeal the provisions that criminalise "wilfully injuring the sovereignty and national interest of Zimbabwe". These provisions are too broad and vague, and they could be used to silence dissent and punish people for exercising their legitimate rights to freedom of expression and association [Carter Centre].	<p><i>Establish MPLCs at the national, provincial, constituency, and local authority levels to provide platforms for dialogue regarding election-related matters and to ensure observance of the Code of Conduct for Political Parties and Candidates.</i></p> <p><i>Ensure removal of provisions that inhibit enjoyment of their freedoms by forcing the public to exercise self-censorship.</i></p>	Review Electoral Act and Code of Conduct for Parties and Candidates	ZEC ERT Parliamentary Legal Committee



No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
40	Electoral Justice	Timeframe for Adjudicating Post-election Complaints and Appeals	Determine a set period for the conclusion of appeals processes from the nomination of candidates especially for the local authority elections [ECF-SADC]. Provide access to information on election-related cases and consider timely publication of a complaints register on the web to enhance the transparency of the dispute resolution process (Carter Centre).	<i>Establish timeframes for the finalization of [post-election] petitions filed with the court on electoral disputes. ZEC must publicise all the information on the handling of all electoral cases.</i>	Revision of the Electoral Act	ERT ZEC Law Development Commission Parliamentary Legal Committee
41	Accountability	Legal Enforceability of Code of Conduct	The ZEC should enhance the enforcement of the electoral code of conduct to address issues related to intimidation of voters by political party affiliates [AU-COMESA]. To refrain from intimidating the electorate throughout the electoral process to adhere to the Electoral Code of Conduct for Political Parties, Candidates, and other Stakeholders (ZHRC).	<i>Enforce contravention of the Code of Conduct for Political Parties and Candidates. Establish a public [online] reporting mechanism for such violations that is monitored by ZEC and other Chapter 12 institutions.</i>	Revision of Code of Conduct - specify punitive measures for contraventions of the electoral Code of Conduct	ZEC ERT Parliamentary Committees Parliament
42	Polling	Security	The ZRP should independently investigate all reported cases of violence and intimidation irrespective of political affiliations and bring the perpetrators to book without fear or favour. The Zimbabwe Republic Police (ZRP) should impartially execute their duties independent from political influence since selective application of the law undermines public confidence and trust in the national security systems [ZCC]. Recruit polling officials outside of civil service and the army since they are perceived to be pro-government [AU COMESA]. To effectively attend to the welfare of the Polling Officers (ZHRC).	Impartiality by the law enforcement agencies is essential for building trust and enhancing the integrity and security of the vote. Citizens all deserve the same quality of treatment by civil servants. Impartiality in polling agents can be improved by not utilising security agents: the military and civil servants.	Design Election Training Materials for law enforcers. ZEC to conduct civic education on role of law enforcement agencies during elections. Publicly advertise election officials' posts.	ZEC ZRP

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
43	Polling	Conformity of Ballot Design with Legal Framework	alignment of the outstanding aspects of the Electoral Law to the Constitution, such as setting timelines for ..... papers [SEOM]. The Commission should involve political parties at all stages of the ballot paper printing process to restore confidence in the quality and nature of the ballot papers used in the election [ZCC]. ZEC should also introduce a consultative framework to make the process of procurement and designing of ballot papers more transparent to instil confidence (ECF-SADC). To improve colour distinction of ballot papers and signage of polling stations (ZHRC).	<i>The ZEC should ensure that ballot design complies with the legal requirements; the alphabetical arrangement of presidential ..... friendly for voters. The ballot design should be a consultative process to allow inputs by all actors.</i>	Establish an inclusive ballot design committee.  Ensure compliance with the Electoral Law and Regulations	ZEC ERT  Law Development Commission
44	Polling	Logistics of Ballot Papers	Election materials including ballot papers should be distributed to polling stations at least three (3) days before the elections to ensure the smooth running of elections [ZCC]. Strengthen the administration and logistical aspects of election management. This includes supplying enough ballots and other materials on time and providing adequate lighting as well as selecting accessible venues and stations (ZHRC). To give voters equal access to voting, complete all pre-election preparations, including delivery of ballots to polling stations, within legal deadlines (Carter Centre). Pursue legal reforms to mitigate risks related to operations, including putting in place strategic logistical arrangements which guarantee timely distribution and delivery of electoral materials at least a day before the first proclaimed polling day (ECF-SADC).	Logistical arrangements <sup>1</sup> for the distribution of ballot papers to polling stations should be done timeously to avoid delays on polling day. ZEC should set deadlines on the preparation of voting materials in all polling stations. This helps to avoid disenfranchising citizens.	Enhance ZEC Regulations and administrative procedures	ZEC  ERT

<sup>1</sup>The ZEC is dependent on other arms of the government for the efficient administration of the electoral process. No legislative provisions govern this process.

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
45	Polling	Procedures	<p>The ZEC should ensure that postal voting is conducted in a manner that guarantees the secrecy of the ballot. Furthermore, the commission should conduct awareness programs with respect to postal voting particularly regarding its modalities and management [SEOM].</p> <p>Observation should be open to political party agents to enhance electoral integrity (ZESN). ZEC should champion legal reforms around the law regulating postal voting to introduce means of monitoring and observation of the process and to guarantee the secrecy of the ballot (ECF-SADC). Implement and follow special procedures and safeguards to ensure secrecy of the police, military, and other institution-based voting (Carter Centre).</p>	<p><i>ZEC should enhance the integrity of the postal vote by managing the process transparently.</i></p> <p><i>Review the laws on postal voting so that election monitors and observers can exercise oversight on the postal vote.</i></p> <p><i>Ensure the security and secrecy of the votes by the security sector and diplomats on service outside the country.</i></p>	Review ZEC Regulations, Procedures, Manuals and Training	ZEC ERT
46	Polling	Results Management System (Technology)	<p>ZEC should publish timely electoral results, disaggregated by polling station [EUOM]. There is need to educate stakeholders and to adequately inform stakeholders on the results system that gives tabulation and compilation of results to minimise uncertainty and public suspicion regarding results forms (ECF-SADC). ZEC should publish timely electoral results, disaggregated by polling station [Carter Center/EUOM].</p>	<p>The ZEC should consider a credible results management system that is transparent and easy to verify.</p> <p>Publicization of results verification tools on the ZEC website to build confidence in the results management process.</p> <p>Enhance transparency of the results management process and ensure all results are published at all polling stations. ZEC should educate the public on the results tabulation process to minimise speculations and suspicions.</p>	ZEC to consider procuring an electronic results management system.	ZEC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
46	Polling	Results Management System (Technology)	<p>Promptly publicize all scanned protocols and election results, disaggregated by polling station. ZEC should be fully transparent and release results that are verifiable and auditable to enhance people's trust and confidence in elected leaders which is essential in building unity, love, and peace. ZEC should develop a results management system to enhance verifiability and traceability results [ZCC].</p> <p>There is need to educate stakeholders and to adequately inform stakeholders on the results system that gives tabulation and compilation of results to minimise uncertainty and public suspicion regarding results forms (ECF -SADC). The ZEC should exercise maximum transparency in the process of results tabulation, including disaggregated election results by polling stations and the judiciary in adjudicating all post -electoral complaints and grievances. ZEC should publish V11 forms on their website to enhance transparency (ZESN).</p>	<p>The ZEC should consider a credible results management system that is transparent and easy to verify.</p> <p>Publicization of results verification tools on the ZEC website to build confidence in the results management process.</p> <p>Enhance transparency of the results management process and ensure all results are published at all polling stations.</p> <p>ZEC should educate the public on the results tabulation process to minimise speculations and suspicions.</p>	ZEC to consider procuring an electronic results management system.	ZEC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
47	Media	Harmonise Legislation with Constitution	The ZEC and ZMC should ensure that the Constitution and Electoral Law are enforced with respect to the media [SEOM].	<i>Ensure the harmonisation of media provisions in the Electoral Act and in the Constitution.</i>	Revision of the Access to Information and Protection of Privacy Act and the Broadcasting Services Act (BSA)	ZEC ERT Parliamentary Portfolio Committee on Information Media & Broadcasting Zimbabwe Media Commission (ZMC) Broadcasting Authority of Zimbabwe (BAZ)
48	Media	Measures to Ensure Balanced (fair) Coverage	<p>The public and private media houses should strive to be impartial in their coverage of electoral processes by giving a fair and balanced representation of all political players [ZESN].</p> <p>The ZEC should ensure that all media outlets both print and electronic treat all political parties and candidates equitably in the news media [ZESN]. Ensure that all political parties have equal access to media platforms. This will help to level the playing field and prevent any one party from gaining an unfair advantage. Ensure the timely public release of information related to media coverage of the election and consider the publication of regular media monitoring results. Provide detailed and easily accessible information on media-related complaint mechanisms (Carter Centre). Media must present all viewpoints during a campaign so that voters can make an informed choice [COG].</p>	<i>Ensuring equal access to both the print and electronic media by all contestants and the electorate is important for fair competition. The Electoral Act should confer authority on ZEC and the ZMC to enforce that political parties, candidates, broadcasters, print publishers and journalists observe the provisions of Part XXIB of the Electoral Act. Media monitoring results should be publicised periodically to build confidence in the processes.</i>	Revision of Electoral Act and BSA  ZMC and ZEC to exercise oversight	ERT ZEC ZBC BAZ ZMC Parliamentary Portfolio Committee on Information Media & Broadcasting

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
49	Media	Ensuring Fair and Balanced Coverage on ZBC	There is need to reform ZBC into a truly independent public service broadcaster and the state-owned media must abide by their legal obligation to be impartial and provide equitable treatment to all political parties and candidates [EU EOM]. Media should Discharge your constitutional and legal duties and ensure fair and impartial treatment of all candidates (Carter Centre). ZEC MMC should insist on fair political airtime. State media should uphold S.1133 of 2008 which demands fair, equitable, accurate and balanced coverage of political parties' activities during the election period. State and private media should be non-partisan and practice responsible journalism which promotes cohesion [ZCC].	<i>MISA guidelines on media coverage during elections requires that public service broadcasters have a special mandate in ensuring fair coverage of elections through equitable distribution of airtime to political parties and candidates. Enforce S.1133 of 2008 which demands fair, equitable, accurate and balanced coverage of political parties' activities during the election period. The role of the media during the entire electoral process is to ensure that voters make informed choices .</i>	ZEC to design measures to enforce impartiality during election coverage.	BAZ ZMC ZEC Parliamentary Portfolio Committee on Information Media & Broadcasting
50	Media	Media Monitoring	There is need to support independent fact-checking initiatives, digital and media literacy though public educational and advocacy measures to help tackle online information manipulation during elections, while avoiding criminalising disinformation [EUOM].	ZEC should encourage the launch of initiatives for fact checking by partnering with e.g. Google, Meta and other services such as the non -profit Meedan. These initiatives have helped to encourage openness, factual based activism and enhancing truthfulness through AI technologies .	ZEC/ZMC should design policy on fact-checking initiatives. Exercise oversight over the Media Monitoring Policy.	ZEC ZMC Parliament

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
51	Media	Requirement to Publish	The media monitoring role of the Zimbabwe Electoral Commission needs to be strengthened to ensure compliance of with the Electoral Act and the Constitution regarding equitable and balanced coverage of campaign materials and propaganda.	The ZEC's media monitoring reports should be public documents and distributed widely through different media platforms. ZMC should develop ethical standards for journalists covering elections.	ZEC to publicise its media monitoring reports.	ZEC ZMC Parliament
52	Media	Journalists accreditation	ZEC and ZMC should simplify and make transparent journalist accreditation, as it promotes media freedom, allows for diverse election coverage, and facilitates journalists in carrying out their role effectively during elections [EUOM]. The ZEC should address and clarify all the issues related to selective accreditation of observers and the dual accreditation of media practitioners (ECF-SADC). Lift accreditation requirements for representatives of mass media outlets to promote pluralistic and unimpeded reporting on the election campaign (Carter Centre).	Promote media freedoms by accrediting journalists based on their profession and not on which media house they are working for. Specify publicly the requirements for journalists to be accredited.  <i>Review Statutory Instrument 33 of 2008; which requires journalist already registered with the Zimbabwe Media Commission to re-register with the ZEC during an election.</i>	Publicise criteria for the accreditation of journalists.  Review Code of Conduct for the Media Monitoring System	ZEC ZMC

No.	Main Theme	Sub-Themes	EOM Recommendation	Proposed revised recommendation	Change Through	Responsible Body
53	Media	Social Media & Digital Rights	There is a need to amend the 2007 Interception of Communications Act and the Cyber and Data Protection Act to fully comply with fundamental rights of freedom of expression, access to information and privacy [EUOM]. Repeal legal provisions criminalizing free speech online and offline, such as those in the Patriotic Act and the Cyber and Data Protection Act (CDPA). Guarantee citizens the right to privacy of their personal data, and protection against unsolicited information, including political propaganda during election periods. Conduct investigations in a timely manner and hold perpetrators accountable (Carter Centre).	<p><i>For citizens to enjoy their full liberties, there should be a review of the 2007 Interception of Communications Act and the Cyber and Data Protection Act. The public must be assured of their privacy when exercising their freedom of expression.</i></p> <p><i>Ensure there is quick access to justice for victims of violations of fundamental freedoms including civil and political freedoms.</i></p>	Review the Interception of Communications Act the Cyber and Data Protection Act and the Patriotic Act	Law Development Commission BAZ ZMC Ministry of Justice, Legal and Parliamentary Affairs
		Election observation principles	There is need to establish and implement effective mechanisms to prevent undue restrictions on observation activities and to prevent pressure and intimidation of both citizen and international observers [EUOM].	It is essential to create a conducive election observation environment that allows all observers to work freely.	ZEC should publicise election observation principles that guide all observer teams in the country.	ZEC



## Annex 1

### International legal standards and political commitments for elections

#### United Nations

- United Nations General Assembly (2006) Convention on the Rights of Persons with Disabilities.
- United Nations General Assembly (2003) United Nations Convention Against Corruption.
- United Nations General Assembly (1990) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- United Nations General Assembly (1989) Convention Concerning Indigenous and Tribal Peoples in Independent Countries.
- United Nations General Assembly (1979) Convention on the Elimination of all Forms of Discrimination Against Women.
- United Nations General Assembly (1966) International Convention on the Elimination of Racial Discrimination.
- United Nations General Assembly (1966) The International Covenant on Civil and Political Rights.

- United Nations General Assembly (1952) Convention on the Political Rights of Women.
- United Nations Human Rights Committee (2011) General Comment No. 34 on Freedoms of Opinion and Expression.
- United Nations Human Rights Committee. 1996. General Comment No. 25: The Right to Participate in Public Affairs, Voting Rights and the Right of Equal Access to Public Service.
- General Assembly Resolution A/RES/46/137 (1991) – Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections.
- General Assembly Resolution (2001) A/RES/55/96 – Promoting and Consolidating Democracy
- General Assembly Resolution A/RES/56/154 (2002) – Respect for the Principles of National Sovereignty and Non-Interference in the Internal Affairs of States in Electoral Processes as an Important Element for the Promotion and Protection of Human Rights
- IPU- Declaration on Criteria for Free and Fair Elections (1994)

### Regional standards and commitments for elections

#### African Union

- African Union (2007) African Charter on Democracy, Elections and Governance.
- African Charter for Popular Participation in Development and Transformation (1990)
- [African Charter on the Values and Principles of Decentralisation, Local Governance and Local Development](#) (2014)
- The Constitutive Act of the African Union (AU) (2002) (The Constitutive Act).
- African Youth Charter (2006)
- African Union (2003) Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.
- African Union (2003) African Union Convention on Preventing and Combating Corruption.
- African Union (2002) The New Partnership for Africa's Development Declaration on Democracy, Political, Economic and Corporate Governance Signed by Heads of State and Government of the Member States of the African Union.
- African Union (2002) Declaration on the Principles Governing Democratic Elections in Africa.

**Annex 1 (Cont...)**

- Organization of African Unity (1998) Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights.
- Organization of African Unity (1981) African Charter on Human and Peoples' Rights.
- AU Guidelines for African Union Electoral Observation and Monitoring Missions – EX/CL/35 (III) Annex II

**Southern Africa Development Community (SADC)**

- SADC (2015) Principles and Guidelines Governing Democratic Elections
- Charter on the fundamental social rights in SADC (2003)
- SADC Parliamentary Forum Norms and Standards for Elections in the SADC Region
- SADC (2008) Protocol on Gender and Development
- SADC (2001) Protocol against Corruption
- SADC (2001) Protocol on Culture, Information and Sport

## Annex 2 Progress on the 2018 Compendium recommendations<sup>7</sup>

This list is an update of action that has been taken in redressing the issues flagged out in the 2018 Compendium recommendations. Out of the over 200 recommendations made by EOM in the 2018 Harmonised elections, only these reported below show that there has been some notable progress on the issues raised.

1. Cabinet approved the Zimbabwe Independent Complaints Commission Bill in November 2020. It is not yet clear if the provisions in this Bill sufficiently capture the essence of provisions of section 210 of the Constitution.
2. The National Peace and Reconciliation Commission and supporting legislation are now in place, but much needs to be done to enhance the capacity of the Commission to fulfil its mandate.
3. Efforts to make VE accessible to persons with disabilities and other disadvantaged groups is ongoing. To this end the Commission has increased its engagement with various electoral stakeholders during the creation of VE materials.
4. Constitution of Zimbabwe Amendment (No. 2) Act 2021 came into force on 7 May 2021 making it possible for disabled groups to be represented in all provinces (partially). The Act provided that political parties must ensure that (a) ten of the sixty women members are under the age of thirty-five; women with disabilities are represented on their party lists; and young women with disabilities can now be represented on the party lists in terms of an Act of Parliament.
5. Several media laws were gazetted after the 2018 elections. These include: The Access to Information and Protection of Privacy Act [Chapter 10:27] that was repealed and replaced by three sets of legislation: (a) Zimbabwe Media Commission Act (b) Freedom of Information Act, and the (c) Protection of Personal Information Act. However, they still do not meet Sections 61 and 62 of the Constitution which guarantees freedom of expression, media freedom and access to information since the laws regulating the enjoyment of civil and political rights such as the [Maintenance of Peace & Order Act](#) have provisions have been used by the incumbent to curtail enjoyment of political rights by political opponents.
6. There have been attempts to keep the public informed through radio programmes on activities of ZEC.
7. While there were certain changes with respect to women and youth inclusion arising from the constitutional amendments referred to herein, these may not produce the equity that is expected.
8. During the 26 March 2022 by-elections the voters' roll was posted outside each polling station on Election Day. However, there is still a need to improve on polling station identification. Stakeholders were critical of the use of small fonts in signage by ZEC.
9. On polling procedures, ZEC has produced manuals for use by its officials and has trained officials.
10. The Zimbabwe Human Rights Commission's work led to a launch of programmes to serve communities affected by the post-independence conflict in Matabeleland to help them access primary documents such as identity cards and birth certificates enhancing their fundamental freedoms.
11. The Zimbabwe Electoral Commission introduced youth engagement activities on participation in electoral processes and has been undertaking a youth-focused training of trainers' programme to enhance their participation.

<sup>7</sup>Extracted from ZESN, 2020. Reports on 2018 the Harmonised Election Observer Missions Recommendations Tracking Project.

*Annex 2 (Cont...)*

12. A number of measures have been taken to ensure that public buildings are accessible to the disabled voters. ZEC seeks data on PWDs during voter registration which it uses to ensure that its polling stations are accessible.
13. ZEC has adopted a youth-focused programme incorporating CSOs. This will contribute towards addressing target specific voter education.
14. The extension of the gender quota in the National Assembly, as well as the introduction of the 30% women's quota in local government elections, through a constitutional amendment has relatively increased women's participation.
15. ZEC broadcasted on ZBC relating to the proposed delimitation process. It also engaged with CSOs in various clusters, including those on PWDs to develop voter education material and delimitation issues.
16. ZEC in early July 2022 announced voters roll inspections through local inspection centres, mobile phones, as well as through an online platform on the EMB's website.
17. On communication, ZEC has been routinely communicating electoral issues to stakeholders. For instance, On Cleaning of Voters Roll the clean-up excise involving deceased voters has been frequently gazetted.
18. On voter registration, it was observed during the recent by-elections that the voters' rolls were displayed at the polling stations.
19. The Zimbabwe Public Complaints Commission Act was passed during the period under review, providing members of the public with a redress system.
20. Other non- state players have been licensed, particularly community radio stations.
21. The Zimbabwe Media Commission has developed, with wide stakeholder input, a manual to guide media practitioners on electoral reportage, and will be conducting training for journalists based on the document. The ZMC partnered with media houses in both private and public spheres, as well as media institutions like MISA to craft a handbook to guide election reportage in Zimbabwe.

## Acronyms used in the matrix

ACDEG	African Charter on Democracy, Elections, and Governance
AU	African Union
AU-COMESA	African Union and the Common Market for Eastern and Southern Africa Election Observation Mission
BAZ	Broadcasting Authority of Zimbabwe
CCC	Citizens Coalition for Change
COG	Commonwealth Observer Group
COMESA EOM	Common Market for Eastern and Southern Africa Election Observation Mission
CSO	Civil Society Organization
CVE	Civic and Voter Education
ERT	Electoral Reform Taskforce
EU	European Union
EU EOM	European Union Election Observation Mission
FPTP	First-Past-The-Post Majoritarian System
IDEA	International Institute for Democracy and Electoral Assistance
MCZ	Media Commission of Zimbabwe
MPLC	Multiparty Liaison Committee
MPOA	Maintenance of Peace and Order Act
SEOM	Southern Africa Development Community (SADC) Election Observation Mission
ZCC	Zimbabwe Council of Churches
ZEC	Zimbabwe Electoral Commission
ZESN	Zimbabwe Election Support Network
ZGC	Zimbabwe Gender Commission
ZHRC	Zimbabwe Human Rights Commission

## References: EOMs Final Reports and Preliminary Statements

African Union and the Common Market for Eastern and Southern Africa Election Observation Mission to the 23 August 2023  
Harmonised Elections in Zimbabwe  
SADC Electoral Observation Mission Final Report on the 2023 General Elections in the Republic of Zimbabwe  
Final report of the European Union Election Observation Mission (EUEOM) Zimbabwe 2023  
The Carter Center Preliminary Statement on Zimbabwe's 2023 Harmonized Elections  
Interim Statement of The Commonwealth Observer Group 2023 Zimbabwe Harmonised Elections  
Electoral Commissions Forum of SADC (ECF – SADC) Countries on the August 2023 Harmonised Elections of The Republic of  
Zimbabwe  
Zimbabwe Human Rights Commission (ZHRC) -Report on 2023 Harmonised Elections in Zimbabwe  
Zimbabwe Council of Churches (ZCC) 2023 final election observation report  
Zimbabwe Election Support Network (ZESN) 2023 Harmonised Election Report



# Zimbabwe Harmonised General Elections 23 August 2023:

Compendium of Election  
Observer recommendations

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