



**ZIMBABWE ELECTION
SUPPORT NETWORK**

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FACT SHEET

ELECTION OBSERVATION

Introduction and Background



Election observation is a process of systematically gathering information on the electoral process in order to make an informed decision on the integrity and credibility of the process. This implies limited direct intervention into the actual electoral process by observers (whether local or international).

Election observation can deter malpractices and build stakeholders' confidence in electoral processes, ultimately contributing to the credibility of elections and extent to which they are democratic.

However, the practice of election observation is not without contestation. Scholars raise objections at the uneven application of observation in developed

and developing nations. If election observation is to be accorded the global credibility and acceptability, it should be applied to all states of the world, big and small, rich and poor, weak and powerful.

Despite the contestations, election observation remains an integral part of the democratic and electoral processes in Zimbabwe. In July 2018, Zimbabwe held harmonised General elections. The Zimbabwe Electoral Commission (ZEC) accredited a total of 11019 local and 1007 foreign observers to observe the elections. Observers from the European Union and the Commonwealth were invited, marking a departure from previous practice wherein their presence was barred.

The Zimbabwe Election Support Network (ZESN) developed a compendium of Election Observer Recommendations after the elections. The compendium brings to the fore 223 recommendations proffered by various local, regional and international Election Observation Missions (EOMs) during the elections. The key recommendations in the category of election observation focused on the accreditation of observers, release of reports by the EOMs and follow-up engagement throughout the electoral cycle. Each is discussed in subsequent sections of the fact sheet.

ZESN Compendium of Election Observer Recommendations: Summary of issues raised and recommendations

United Nations Office of the High Commissioner for Human Rights, Manual on Human Rights Monitoring 2011 p4
Khabele Matlosa, Election Monitoring and Observation in Zimbabwe: Hegemony versus sovereignty, African Association of Political Science vol 7 no 1 2002 p131
Ibid. p132
Zimbabwe Electoral Commission (ZEC) 2018 Harmonised Election Report p56
ZEC, Ibid. p54
Zimbabwe Election Support Network (ZESN) Zimbabwe Harmonised Elections 30 July 2018 Compendium of Election Observers Recommendations
ZESN, Ibid. p4

A. Observer Invitations And Accreditation

In practice, the accreditation of observers is a constitutional function of ZEC as provided for by section 239 of the Constitution of Zimbabwe, the Electoral Act and the 2013 Electoral (Accreditation of Observers) Regulations. Applications for accreditation are submitted to the ZEC Chief Elections Officer and are approved by the Accreditation Committee. The Committee has been criticized for lacking independence as it is dominated by representatives from the Executive.

The African Union Guidelines on Election Observation enjoin member states to ensure transparency and integrity of the entire electoral process by accrediting national and other observers. Additionally, the Venice Commission stipulates that accreditation should be delivered to international and nation election observers in a timely manner and within a short time limit after application. Accreditation procedures should be simple and free of charge for observers. Accreditation should not be refused on discriminatory criteria (e.g. political opinion or nationality of the observer). Where accreditation has been refused, the right to an effective system of appeal should be provided to domestic observers.

The accreditation of domestic and foreign observers can be enhanced to meet international standards. During the 2018 elections. The Commonwealth Observer Group emphasised the concerns of civil society organisations regarding the high accreditation fees for citizen observers.

The ZESN compendium on Election Observers’ Recommendations: Accreditation of Observers

- o Adoption of easier accreditation processes by the ZEC. This includes timely processing of observer applications and an effective system of appeal where accreditation has been refused.
- o Diversify the composition of the Accreditation Committee to include greater representation from independent commissions
- o Removal of accreditation fees.
- o Removal of requirement for observers to be physically present at accreditation centres.

b. Issuance of Statements and Recommendations by Election Observation Missions

During the 2018 harmonised elections, EOMs issued preliminary findings. However, not all EOMs had issued and made public their final reports six months after the election. The 2005 Declaration of Principles for International Election Observation obliges EOMs to offer recommendations for improving the effectiveness of electoral and related processes. EOMs are expected to issue timely, accurate and impartial statements to the public (including providing copies to electoral authorities and other appropriate national entities), presenting their findings, conclusions and any appropriate recommendations they determine could help improve election related processes.

Chairperson of the Commission; Deputy Chairperson; three Commissioners; a nominee from the President's Office and Cabinet; a nominee from the Ministry of Foreign Affairs; a nominee from the Ministry responsible for immigration; and a nominee from the Ministry of Women's Affairs. <https://www.achpr.org/legalinstruments/detail?id=31> accessed 24/09/2019

Venice Commission Guidelines on an International Recognised Status of Election Observers, 2009, https://www.venice.coe.int/WebForms/pages/?p=02_Opinions_and_studies accessed 24/09/2019

Drafted under the auspices of the United Nations, October 2007, Article 7

Findings, conclusions and recommendations should be contextualised, realistic and appropriate to national contexts.

The Declaration of Principles are silent on a specific timeframe within which to issue reports. The ZESN Compendium recommends that final EOM reports should be published and made public at least three months after an election.

The ZESN compendium on Election Observers' Recommendations: Issuance of Statements and Recommendations by EOMs

- o EOM findings, conclusions and recommendations should be contextualised, realistic and appropriate to national contexts
- o EOM reports should be published timeously, at least three months after an election
- o Published EOM reports should be made public

c. Follow-up engagement throughout the electoral cycle

Monitoring and implementation of EOM recommendations can be strengthened if EOMs take necessary steps to track progress and ensure that recommendations are effected ahead of the next set of elections. This requires follow up and engagement by EOMs throughout the electoral cycle. Best practices include hosting post electoral stakeholder roundtables; lessons learnt and follow up missions during the electoral cycle; development of centralised recommendation tracking databases; provision of technical support to national stakeholders. There is also need for an inclusive taskforce or Committee to look at the implementation of Election Observer Mission Recommendations.

The ZESN compendium on Election Observers' Recommendations: Follow-up engagement throughout the electoral cycle

- o EOMs should closely monitor implementation of recommendations to ensure that they are given effect ahead of the next elections
- o Best practices on follow up include post-electoral stakeholder roundtables; lessons learnt and follow up missions during the electoral cycle; development of centralised recommendation tracking databases; provision of technical support to national stakeholders

Conclusion

Election observation is an important component for improving electoral processes in Zimbabwe. EOMs have a responsibility to ensure follow-up of recommendations made throughout the electoral cycle. National stakeholders have an obligation to implement recommendations to promote democracy.

United Nations Electoral Assistance Division Statement by Carlos Valenzuela during the Sixth International

Meeting on the Implementation of the Declaration of Principles for International Election Observation