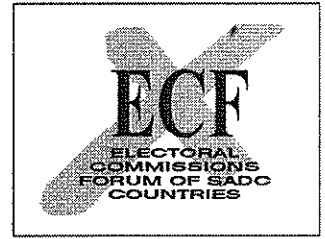


Electoral Commissions Forum of SADC Countries

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PRELIMINARY STATEMENT OF THE ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES (ECF-SADC) ON THE TRIPARTITE ELECTIONS OF ZAMBIA 22 SEPTEMBER 2011

INTRODUCTION

The Electoral Commissions Forum (ECF) of the SADC countries was duly invited by the Electoral Commission of Zambia (ECZ) to observe the tripartite elections of Zambia which were held on the 20th September 2011.

A Twenty Eight (28) Member Observer Mission, comprising the Electoral Commissions of Angola, Botswana, Democratic Republic of Congo (DRC), Lesotho, Mozambique, Namibia, South Africa and Zimbabwe, observed the elections.

Delegates started arriving in Lusaka on the 12th September 2011. The Mission was led by Dr Fako Likoti, a Commissioner at the Independent Electoral Commission of Lesotho.

Mandate of the Electoral Commissions Forum (ECF)

The Electoral Commissions Forum (ECF) was launched in July 1998 and is comprised of fifteen (15) SADC member states' Electoral Commissions. As per its Constitution, the mandate of ECF amongst others includes the:

- i. strengthening of co-operation amongst Electoral Commissions in the SADC region;
- ii. promotion of conditions conducive to free, fair and transparent elections in the SADC region.

ECF election observations are principally guided by two (2) major instruments, namely the Principles for Election Management, Monitoring and Observation in the SADC Regionⁱ (PEMMO) and the Principles and Guidelines Governing Democratic Elections in the SADC Regionⁱⁱ. In essence these two regional electoral instruments set benchmarks for the running and management of transparent and credible elections.

The ECF views election observation as an important component of promoting democratic elections and consolidating democracy in the SADC region, hence its involvement. Through election observation process ECF strives to assist fellow Election Management Bodies (EMBs) to identify areas needing improvement in elections administration and management.

Forum Presidency: Dr B. Bam - President (RSA), Bishop Daniel Ngoy Mulunda (DRC)
EXCO: Chairperson: Prof Joao Leopoldo da Costa (Mozambique) - **Vice Chairperson:** Justice S. Mutambanengwe (Zimbabwe), Advocate Suzana António da Conceição Nicolau Inglês (Angola), Justice S. Gaongalelwe (Botswana), Dr V. Tonchi (Namibia) Hendrick Gappy (Seychelles), Justice L. Makame (Tanzania).

1. Pre-Poll Mission activities

- 1.1 Upon accreditation, members of the Mission were provided with relevant materials.
- 1.2 On 15th September 2011, the Mission met with the Electoral Commission of Zambia which provided it with a comprehensive brief on their preparedness to conduct the elections and related challenges. The Mission was also afforded an opportunity to tour the Commission's offices as well as viewing the Information Technology Department and its work. The delegation further observed the packaging of election materials at the ECZ warehouse which was taking place at the time.
- 1.3 On the 16th September 2011, the Mission got briefings from various stakeholders including the media, academia, and Civil Society. This afforded the Mission an opportunity to get a multi-stakeholder perspective on the upcoming elections.
- 1.4 Two Political rallies were observed.
- 1.5 The Head of Mission met with other Heads of Observer Missions on the 18th September and 21st September, respectively, to reflect on the election observation process and their roles. This meeting took place under the auspices of the European Union Mission.
- 1.6 Furthermore, the Head of Mission participated in a round-table meeting for the African Missions on the 21st September 2011 which was convened by African Union and facilitated by SADC.
- 1.7 The Mission was divided into nine teams, six (6) teams covered various Constituencies in and around Lusaka and three (3) were dispatched to the Copperbelt, Southern and Central Provinces.

2. Overview of the Poll

The mission observed the following;

- 2.1 Several polling stations did not commence the poll at 06:00 a.m., as stipulated;
- 2.2 The voting process was generally peaceful and orderly. However, at Kanyama Polling Station there were challenges associated with the late delivery of ballot boxes leading to dissatisfaction on the part of some voters.
- 2.3 Voters cast their ballots freely and without any observable intimidation.
- 2.4 Polling staff seemed to be adequately trained, although there were a few issues of inconsistencies in the procedures followed by Presiding officers.
- 2.5 Generally, the secrecy of the ballot was protected.
- 2.6 The layout of polling stations allowed for a smooth flow of voters.
- 2.7 Party agents and monitors were present at most of the stations visited and demonstrated good understanding of the processes and their role.
- 2.8 There was a notable presence of Police officers at the polling stations.
- 2.9 The visually impaired and other voters needing assistance were duly assisted.
- 2.10 Generally, the stations closed at the appointed time. However, the stations that opened late were allowed to extend their closing time in accordance with the law.

2.11 The counting of votes at polling stations was carried out transparently and meticulously.

3. Recommendations

Considering all of the above, the Mission recommends to ECZ that;

- 3.1 The distribution of election material and the setting up of polling stations be in advance and that all election materials be properly secured.
- 3.2 The training of polling staff should address the inconsistencies noticed.
- 3.3 The Commission's commendable campaign to encourage political tolerance by political parties be continued. This would in turn eliminate potential electoral conflict.
- 3.4 The breaches of the Code of Conduct in situations where mediation efforts to resolve conflict fail, be dealt with through an appropriate legislation.
- 3.5 The legal provision providing for special voting be implemented.
- 3.6 The legal framework governing the delimitation of constituencies be revisited in view of the disproportionate number of voters in different constituencies.
- 3.7 The direction signs to polling stations be accordingly visibly displayed and posted in advance.
- 3.8 The ushers at polling stations, like other polling staff be easily identifiable.
- 3.9 Uniform accreditation be applied to all party agents and domestic observers.

4. Conclusion

Finally, the Electoral Commissions Forum of SADC countries concludes that:

- 4.1 The Electoral Commission of Zambia was indeed ready and prepared to conduct the elections.
- 4.2 The Tripartite Elections of Zambia held on 20th September 2011 were credible and conducted in accordance with the relevant electoral laws of Zambia and adhered to regional and international standards including the PEMMO.
- 4.3 The environment was conducive and the people of Zambia exercised their right to vote.
- 4.4 It is worth commending the political parties and the electorate for displaying tolerance on polling day.

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Dr Fako Likoti
Mission Leader
Electoral Commissions Forum of SADC countries

Done on the 22nd September 2011, Lusaka, Zambia

ⁱ Produced by the Electoral Commissions Forum and the Electoral Institute of Southern Africa (EISA): Adopted on 6th November 2003, Johannesburg

ⁱⁱ Adopted in 2005 at the SADC Heads of State and Government Summit held Mauritius in 2005.