



PRELIMINARY STATEMENT OF THE ELECTORAL COMMISSIONS FORUM OF SADC COUNTRIES (ECF-SADC) OBSERVER MISSION ON THE GENERAL ELECTIONS & REFERENDUM OF THE REPUBLIC OF ZAMBIA HELD ON 11TH AUGUST 2016.

1. INTRODUCTION

It is an honour for me to present the Electoral Commissions Forum of SADC countries (ECF-SADC) Observer Mission's Preliminary Statement on the General Elections and Referendum held on 11 August 2016 in the Republic of Zambia.

The ECF-SADC was established in July 1998. It is composed of fifteen (15) Electoral Commissions of the SADC member States, namely Angola, Botswana, the Democratic Republic of Congo (DRC), Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Seychelles, Swaziland, Tanzania, Zambia, Zanzibar and Zimbabwe. As stated in its Constitution, the ECF SADC's mandate includes strengthening cooperation between and among member Electoral Commissions, and promoting conditions conducive for the holding of credible and transparent elections in the SADC region.

The ECF-SADC was duly invited by the Electoral Commission of Zambia (ECZ) to observe the General Elections and Referendum. In response to this invitation, the ECF-SADC deployed an 11 member Mission from 5 member Commissions namely Angola, Botswana, Lesotho, Zanzibar and Zimbabwe. The Mission arrived in Zambia on 4 August 2016 and will leave on 15 August 2016. The Mission was led by Ambassador Omar R. Mapuri, Commissioner of the Zanzibar Electoral Commission.

2. THE ROLE OF THE ECF-SADC ELECTION OBSERVER MISSION

Election observation is an important component of promoting democratic elections and consolidating democracy, hence the involvement of the ECF SADC in election observations in the SADC region. Through this process, the ECF-SADC strives to assist fellow Election Management Bodies (EMBs) to identify areas requiring improvement in election management.

The ECF-SADC election observations are mainly guided by two (2) major instruments namely:

- (a.) Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO) and
- (b.) Principles and Guidelines Governing Democratic Elections in the SADC Region.

In essence these two regional electoral instruments set benchmarks for the running and management of transparent and credible elections. The two instruments are considered together with existing local electoral legal frameworks, mainly:

- The Constitution
- Electoral laws and
- Regulations

3. PRE-ELECTION ACTIVITIES OF THE MISSION

The Mission engaged in a number of pre-election activities which included;

- Pre assessment Mission;
- Accreditation;
- Courtesy call on the ECZ;

- Briefing by the ECZ on its preparedness to conduct the elections;
- Observation of final political party rallies;
- Consultative meeting with the SADC Election Observer Mission (SEOM);
- Participation in meetings of Heads of International Observer Missions;
- Participation in the release of a Joint Statement on Peace by Observer Missions from the SADC region and
- A seminar with electoral stakeholders, including political parties, media, academia and civil society.

4. KEY ISSUES RAISED BY STAKEHOLDERS

In its interaction with stakeholders the following issues were raised:-

- Incidents and nature of reported violence;
- Police abdicating their responsibility through selective application of the Public Order Act;
- Abuse of state resources by the ruling party;
- Polarization of the media;
- Political intolerance of opposing views;
- Conduct of General Elections and Referendum on the same day;
- Limited voter education in relation to the Referendum;
- The Grade 12 academic qualifications for nomination of candidates excluded potential candidates, especially women and
- The concern around the use of the Eye and Ear symbols for the Referendum.

5. THE MISSION'S OBSERVATIONS.

- The ECZ was adequately prepared for the elections;
- The ECZ successfully printed ballot papers despite earlier discomfort expressed by some electoral stakeholders on the choice of the printer in Dubai;
- The ECZ dispatched electoral materials to Provinces well ahead of the polling day;
- The final register was printed and given free of charge to political parties participating in the Presidential elections;
- The amendment of the Electoral Act has given the ECZ power to enforce the Electoral Code of Conduct;
- The Constitutional Court ruling that Ministers and their Deputies should vacate office and pay back salaries and allowances they received after the dissolution of the Parliament was noted;
- A constitutional amendment has provided, for the first time, the threshold of 50% plus one vote for the Presidential vote;
- The electoral law now provides for pre-voting for poll staff and security officers engaged on polling day;
- Electoral law does not provide for voting for Zambians in the diaspora and
- The pre-election environment was politically tense.

6. DEPLOYMENT

The Mission deployed two (2) teams to cover the Provinces of Lusaka and the Copperbelt. The deployment period was 9 to 12 August 2016. Both teams managed to undertake the pre-election observation and establish the preparedness of the ECZ to conduct the elections.

7. POLLING DAY

The Mission generally observed the following:

- High turnout of voters in polling stations visited;
- Most polling stations opened on time as stipulated in the Electoral Law;
- Opening procedures were adhered to;
- Whilst the layout in most polling stations allowed for smooth flow of voters; some polling stations were too small to facilitate voting;
- International and domestic observers as well as monitors were visible at most polling stations visited;
- Party agents were present in all polling stations;
- The voting queues for general elections were long while the queues for those voting in the Referendum only were very short;
- Voters did not seem to understand the voting procedures in relation to the Referendum;
- A few polling stations visited had an inadequate number of ballot boxes for the Referendum;
- Signage to polling stations was adequate;
- There was inadequate lighting in some polling stations;
- Voters needing assistance were duly assisted including giving priority to expectant mothers;
- The braille ballot papers were used where applicable;
- Voters voted freely without any intimidation;
- Polling staff seemed adequately trained;
- In some polling stations visited, marking pens ran out of ink;
- There was noticeable presence of police officers in polling stations who played their role of keeping law and order;

- There was live broadcast and election coverage on television and radio stations;
- Regular statements were issued by the ECZ. For example, a few elections were postponed due to issues relating to mistakes on some ballot papers, faint ink on the official stamp and late opening of polling stations due to various reasons;
- The counting procedures were adhered to in the presence of polling agents and observers;
- The Presidential votes were the first to be counted and the results were posted on the wall following completion of counting and confirmation

8. BEST PRACTICE AND LESSONS LEARNT

The Mission noted the following:

- The independence of ECZ in law and practice;
- Regular public updates by the ECZ;
- Predominant use of youths as polling officers and party agents;
- The maintenance of a pool of well trained and certified polling staff at district level;
- Gender balanced polling officers;
- An election results management system and
- Effective role played by police officers during polling

9. RECOMMENDATIONS

- In future consider separating the Referendum from the General Elections;
- Ballot papers and respective lids of the ballot boxes should be in deep colours;
- Polling staff be given a refresher break between closure of polling station and counting of votes;
- Labelling of ballot boxes to be standardized;

- Embossing the official stamp at the back of ballot papers;
- There is need to strengthen logistical arrangements well ahead of polling.
- Maintain interaction with stakeholders to increase and sustain their confidence in ECZ and also in the electoral process;
- Gender sensitization to promote women's participation in electoral processes;
- There is need to strengthen civic and voter education in partnership with relevant stakeholders and
- Consideration for decentralization of electoral services to the provinces and districts.

10. CONCLUSION

The Mission is pleased to share their observations with the people of the Republic of Zambia and take this opportunity to commend the spirit of tolerance that was upheld in the build-up to and during the General Elections and Referendum of 11 August 2016.

Generally, the voting and counting were conducted peacefully and allowed the people of Zambia to express their democratic right of making their preferred choices.

The Mission would like to congratulate the Electoral Commission of Zambia for its preparedness to conduct the General Elections and Referendum in an efficient and effective manner.

The ECF SADC notes that the electoral process is ongoing and also calls upon all the relevant electoral stakeholders and the people of Zambia in general to accept the outcome of the polls and the will of the people.

On behalf of the Electoral Commissions Forum of SADC countries, and on my own behalf, I congratulate the people of the Republic of Zambia, the ECZ and all electoral stakeholders on the holding of peaceful, transparent, and credible elections.

Signed in Lusaka, Republic of Zambia this 13th day of August 2016.

Ambassador Omar R. Mapuri
**LEADER OF THE ECF-SADC OBSERVER MISSION & COMMISSIONER,
ZANZIBAR ELECTORAL COMMISSION**