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The Zimbabwe Presidential Election: A Synopsis of available Election Observer Mission Reports & Findings

Preface

The purpose of this document is to provide a broad overview and some degree of comparative perspective on the criteria used and the conclusions reached by some of the Observer Missions whose reports have been widely circulated, on their assessment of the Zimbabwean Presidential elections.

To date, no final reports by any of the observer missions have been concluded. Consequently this document uses as a basis, the interim reports and statements issued by the following four Observer groups:

- 1. NORWEGIAN ELECTION OBSERVATION MISSION, Presidential Elections in Zimbabwe 2002, Preliminary Report Issued on 12 March 2002**
- 2. STATEMENT BY THE SADC PARLIAMENTARY FORUM ELECTION OBSERVATION MISSION, ZIMBABWE PRESIDENTIAL ELECTIONS 9-10 MARCH 2002**
- 3. Preliminary Report of the Commonwealth Observer Group to the Presidential Election in Zimbabwe 9 – 10 March 2002, 14/03/02**
- 4. INTERIM STATEMENT BY THE SA OBSERVER MISSION TO THE ZIMBABWEAN PRESIDENTIAL ELECTIONS OF 9 AND 10 MARCH 2002**

As such, this document represents work in progress. We envisage a comprehensive comparative detailing of the final reports as they become available, and hope also to provide a subsequent analysis of the Observer Mission final reports in general, as well as an analysis of the process of the Zimbabwean Presidential Elections in particular.

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Overview/General Observations & Findings

The Presidential Elections failed to meet key, broadly accepted, criteria for elections. The climate of insecurity obtaining in Zimbabwe since the 2000 parliamentary elections was such that the electoral process could not be said to adequately comply with the Norms and Standards for Elections in the SADC region, according to the SADC Parliamentary Forum Observer Group, nor meet the key broadly accepted criteria for elections according to the Norwegian Observer Mission.

Moreover, the Presidential Elections in Zimbabwe in March 2002 were conducted in an environment of strong polarisation, political violence and an election administration with severe shortcomings. The political and security climate in which the elections were conducted was complex, characterised by high levels of polarisation and political intolerance, lack of communication amongst stakeholders and lack of free flow of information to the electorate, all of which are necessary conditions for democracy to prevail.

Despite that, voters on election days turned out to vote in large numbers, showing an extraordinary sense of civic duty. Based on observations, it is the markedly different view of the South African Observer Mission, headed by Dr S Motsuenyane], that the outcome of the 2002 Zimbabwe Presidential elections should be considered legitimate. The South African Observer Mission stated: “We were deeply impressed by the determination of the people of Zimbabwe to exercise their democratic rights, very often under difficult conditions. At polling stations across the country, voters queued patiently and peacefully, and sometimes for very long hours”.

While the Commonwealth observer group, agreed with the above sentiment, their conclusion was markedly different. in “ that the conditions in Zimbabwe did not adequately allow for a free expression of will by the electors.”

1. Pre – election phase

a. Regulatory framework guiding competitive elections and that enfranchises or disenfranchises citizens.

Campaigning was characterised by polarisation, tension and incidents of violence and intimidation. The intention seems to have been to intimidate members of other parties. All of the Observer missions expressed concerned that the legislative framework within which the elections were conducted, particularly certain provisions of the Public Order and Security Act and the General Laws Amendment Act, was basically flawed. Limitations on the freedom of speech, movement and of association prevented the opposition from campaigning freely.

Almost all of the Observer missions expressed further regret at the restrictions placed on civil society groups, which effectively barred this important sector from participation

in the democratic process. In particular observer missions consider that unnecessary restrictions were placed on the deployment of independent domestic observers.

They also found that thousands of Zimbabwean citizens were disenfranchised as a result of the lack of transparency in the registration process and the wide discretionary powers of the Registrar-General in deciding who is included in or omitted from the electoral register.

The promulgation of laws, right up to and during the elections, that were aimed specifically to cover the administration, regulation and management of the said elections; the reversal of some of these by the courts; the gazetting of regulations to override the courts - all created an environment that not only caused legislative uncertainty but also threatened the integrity of the electoral process.

The Norwegian Observer mission noted with concern that the Electoral Act had not been passed in an impeccable manner well before election days. The amendments to the Act passed in January were annulled by the Supreme Court as late as 27 February and a Presidential Decree modified the code on 5 March. Such last minute changes in themselves reduce the transparency of the process. The regulatory powers of the President to suspend or amend the Act are being challenged in court. Apart from the highly questionable powers this gives to the executive, it also allows one of the candidates to change the rules of the game at his own discretion. [Norwegian Election Observer Mission Preliminary Report]

In general, the run-up to the elections was marred by a pattern of intimidation and violence. Even though incidents have been reported from both sides, the evidence shows clearly that in the vast majority of cases the ruling party had been to blame. Observers have documented numerous reports of harassment and assault of opposition officials, members and supporters and their homes. Opposition offices have also been attacked in several places.

“The Public Order and Security Act has been used to obstruct regular political activities involving the opposition. Meetings have been interrupted, party representatives have been taken in for questioning during deployment to their polling stations, party offices have been raided, and opposition officials and supporters have been detained on spurious charges”, said the Norwegian Election Observer Mission Preliminary Report.

The SADC Parliamentary Forum Election Observation mission noted that whereas in “any election, contestants should be able to move freely among the electorate, In this election whereas the ruling party’s campaign was relatively uninterrupted, some opposition party meetings were cancelled or interrupted by opponents. It was however, significant, in two instances in Harare and Bulawayo, rallies of opposing parties were conducted in the same city without any violence. This should be the norm”.

b. Interference with independent and autonomous bodies/institutions related to the elections, including the judiciary, the media, the electoral supervisory

commission, Electoral support networks and other public interest and public service institutions.

Either the President or the Government appoints all the electoral bodies in Zimbabwe.

In the Zimbabwean electoral administration both, the bodies administering the elections and those supervising them, form part of the executive structure, lacking convincing independence and integrity. “The consulting parties’ only involvement is via their polling and election agents. Polling agents for the opposition were in a number of instances harassed or intimidated by supporters of the ruling party or the police. Being the vital instrument for keeping the cheques and balances in place in the polling stations, this represents a weakening of the trust in the voting process. Despite the reported incidents, the main opposition party seemed to have been able to achieve a fairly good coverage of polling agents in the polling stations around the country”. [Norwegian Election Observer Mission Preliminary Report]

The Registrar General has the key operational role in the conduct of elections, as well as in maintaining the voters rolls. The Registrar General takes his instructions from the Elections Directorate, which is also part of the executive structure.

According to the Norwegian Election Observer Mission Preliminary Report, “The Registrar General has failed to work in a transparent manner, and crucial information about the process has either failed to be submitted or has been published very late. The Norwegian observers were not able to meet with the Registrar General despite a number of requests for a meeting”.

The Minister of Justice chose to exclude most of the 12,500 observers organised by the Zimbabwe Elections Support Network from observing the elections, thereby missing the opportunity to prove its commitment to a fully transparent process.

c. Political Violence, Intimidation, Harassment, Coercion and the Declaration of No-Go areas

The run-up to the elections was marred by a pattern of intimidation and violence. Even though incidents have been reported from both sides, the evidence shows clearly that in the vast majority of cases the ruling party had been to blame. Observers have documented numerous reports of harassment and assault of opposition officials, members and supporters and their homes. Opposition offices have also been attacked in several places.

The campaign period was characterised by high levels of intimidation in many areas, a pattern of serious political violence, and heavy restrictions on opposition campaigning. In some of the incidents reported, MDC supporters were at fault. However, as an overall assessment there is no doubt that the majority of cases were directed against the opposition party. Observers have documented numerous reports of harassment and assault of MDC officials, members and supporters and their homes. Some of these

cases have involved extreme and indeed shocking levels of violence. MDC offices have also come under attack in several places. The net result of this systematic violence and intimidation has been that certain areas of the country, in particular Mashonaland East and Mashonaland Central, as well as parts of other provinces, have effectively been no-go areas for opposition campaigning. In some rural districts of Masvingo and Manicaland, the level of intimidation has been such that MDC supporters have been forced to flee, seeking refuge in urban areas. Observers have also noted a pattern of harassment and intimidation of certain sectors of the electorate, in particular teachers and farm workers in the commercial farming areas. There is convincing evidence that the establishment of ZANU PF youth bases in many areas has been instrumental in restricting political freedom, limiting freedom of movement, and spreading fear among the electorate. [Norwegian Election Observer Mission Preliminary Report]

“Police and party leaders have not denied the fact that there has been violence in various forms. What seemed to be in question was the perpetration of that violence. Violence was visited upon ordinary voters, party supporters and leaders alike. Reports indicated that violence was perpetrated by supporters of the two main political parties—the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the opposition Movement For Democratic Change (MDC)”. SADC Parliamentary Forum Election Observation Statement.

The Preliminary Report of the Commonwealth Observer Group noted that while the actual polling and counting processes were peaceful and the secrecy of the ballot was assured a high level of politically motivated violence and intimidation marred the Presidential election in Zimbabwe, which preceded the poll. While violent acts were carried out by supporters of both of the main political parties, it is the view of the Commonwealth Observer Group that most incidences were perpetrated by members / supporters of the ruling party against members / supporters of the opposition.

d. Restrictions on Media Freedom

The Constitution of Zimbabwe provides for a free press. The media in the country is characterised by a high level of political polarisation.

The South African Observer Mission noted that the so-called independent media was biased towards the opposition MDC whilst the state-owned media gave limited access to the opposition, favouring instead the ruling ZANU-PF party. The South African Observer Mission goes on to note that the international media tended to be overwhelmingly in support of the opposition.

The State controls the electronic media in Zimbabwe through the Zimbabwe Broadcasting Corporation, which owns ZTV and four national radio channels. Independent broadcasters find it difficult to operate under the stringent restrictions set by The Broadcasting Services Act of 2001, and as a result, the State enjoys an effective monopoly over radio and television broadcasting. While the Broadcasting Services Act requires that “reasonable and equal opportunities” be provided to all contesting political

parties, The Norwegian Election Observer Mission Preliminary Report noted that “it can in no way be said that the state controlled media has lived up to this requirement during the present election campaign. Reporting in the state media, which should have a particular duty to be politically unbiased, has shown a marked support for the ruling party, with little or no coverage of the opposition except to portray it negatively. Observers have also noted that the distribution of the main independent newspaper, The Daily News, is non-existent in much of Mashonaland, and that newspaper vendors attempting to sell the daily in these areas have been threatened.”

The SADC Parliamentary Forum noted there was a general lack of access to the public media by political parties other than the ruling party. Their finding was that the monopolization of the public media by the ruling party went contrary to the guidelines set out by the Electoral Supervisory Commission (ESC) for equal and equitable access to contesting parties. The slanted coverage the state-owned Zimbabwe Broadcasting Corporation (ZBC) and the Zimbabwe Newspapers deprived the electorate an opportunity to make an informed choice.

e. Denial of fundamental human and political rights

Observers in general have noted with concern incidents in which some members of the security forces, in particular the police have acted in a partisan manner. Numerous cases of police using the recently adopted Public Order and Security Act to restrict opposition campaigning have been confirmed. Police has searched several MDC offices and MDC officials’ homes in the run-up to the election, in some cases in the presence of observers. In recent weeks, the application of the Public Order and Security Act has been such as to place wholly unreasonable limitations on the freedom of assembly, with civil society coalitions, domestic election observers and some NGOs apparently being targeted. Accredited local journalists have also faced police harassment. There have been many disturbing reports of detentions of opposition members and observers have verified supporters under the Public Order and Security Act or other legislation, a number of which. In many cases, observers have found it difficult not to conclude that the detentions were politically motivated. There have also been worrying reports of detainees being denied fundamental civil rights such as access to legal counsel and medical attention.

In any election, contestants should be able to move freely among the electorate. The SADC Parliamentary Forum noted that in this election “whereas the ruling party’s campaign was relatively uninterrupted, some of opposition party meetings were cancelled or interrupted by opponents. It was however, significant, in two instances in Harare and Bulawayo, rallies of opposing parties were conducted in the same city without any violence. This should be the norm”.

f. Limitations to observer + monitoring missions [domestic and international]

The polling stations are staffed with election officers appointed by the Registrar General. In addition the ESC deployed monitors, who were all civil servants. The law

also gives candidates the right to appoint their representatives (polling agents and election agents) in every polling station and counting centre. This is the only involvement of the contestants in the electoral administration, and is therefore crucial to the checks and balances of the process.

The Norwegian Observation Mission expressed regret that polling agents of the main opposition party had been intimidated by the police and by youth supporting the ruling party in a number of instances. “Despite that, polling agents have been in place in most stations places visited, but it is clear that in some areas voting has taken place without representation of both the major candidates. Other candidates than the two from ZANU PF and MDC did not seem to have polling agents in the polling stations visited by our teams”.

The Law provides for domestic observers to be accredited to observe the elections in the polling stations. However, the NGO’s and individuals must receive an invitation from the Minister of Justice before being accredited. The Norwegian Observer Mission again noted disdainfully that the Zimbabwe Election Support Network (ZESN), the main umbrella organisation for NGO’s observing elections, did not receive such invitation for more than 470 out of their 12,500 nominated observers. The Norwegian Report emphasised that “observers from NGOs would have added a very important element of transparency to the process, and would have offered an independent view on the vote in addition to the civil servants and the party agents”.

Not only did the SADC Parliamentary Forum witness acts of violence and intimidation; its mission members were themselves targets of an orchestrated attack 10 kilometers out of Chinhoyi on 24 February. “We further regret the restrictions placed on civil society groups, which effectively barred this important sector from participation in the democratic process. In particular we consider that unnecessary restrictions were placed on the deployment of independent domestic observers” their report further stated.

g. Preparations by the Electoral Authority + independence of electoral officers and monitors

The ESC has supervisory and monitoring functions. The election administration is divided between the Elections Directorate, the Registrar General and the Electoral Supervisory Commission (ESC). Either the President or the Government appoints all the electoral bodies.

The Registrar General has the key operational role in the conduct of elections, as well as in maintaining the voters rolls. The Registrar General takes his instructions from the Elections Directorate, which is also part of the executive structure. The Norwegian Observer Delegation reported that in their estimation, “the Registrar General has failed to work in a transparent manner, and crucial information about the process has either failed to be submitted or has been published very late. The Norwegian observers were not able to meet with the Registrar General despite a number of requests for a meeting”.

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The SADC Parliamentary Forum noted that “despite various recommendations and practices in the SADC region, Zimbabwe is one of the countries without an Independent Electoral Commission. The assignment of roles to three different electoral bodies, the Electoral Supervisory Commission (ESC), the Election Directorate and the Registrar-General’s Office affects efficiency and causes duplication”.

h. Timeous Publication of the voters roll + other vital public interest information.

The voter registration process had serious flaws in that the cut-off dates for making amendments to the registers were changed without prior public announcements. The extensions of the registration from 27 January to 3 March was only known to the public on 3 March. The cut- off date for registering to vote with effect for the Presidential Elections was changed several times. The date publicly known until 3 March was 27 January 2002. However, on 3 March the Registrar General published a notice dated 1 March extending the deadline for registration to 3 March. In the meantime observer reports noted hectic registration of voters in strongholds of the governing party. “This procedure raises serious doubts about the voter registration process. A comparatively high number of voters were rejected at polling stations because their names did not appear on the roll, which shows that the registration process should be improved.

Key information has not been made publicly available in a timely manner, or at all. This includes the final number of registered voters per constituency, the number and location of polling stations per constituency, the list of polling stations, the final deadline for applying for a postal ballot and the number of ballot papers printed. The voters’ rolls have not been available for purchase by the public as required by law.

A voter’s register is considered a basic condition for a successful election. In this election, concerns have been raised regarding the timeous release of the voter’s roll which was only made available three days before the polls, leaving no time for the electorate to verify its accuracy. As a result of this, it was observed that a large number of people were unable to vote.

Issues of the voter’s roll were compounded by the announcement that a supplementary register had been prepared and would be used in the 2002 elections contrary to earlier announcements that registration for 2002 was closed.

The SADC Parliamentary Forum noted that “information to the electorate and other stakeholders on the location of polling stations was not available to enable the

electorate to make informed decisions. Much as the increase of polling stations in rural areas is appreciated, the reduction of the number of polling stations in urban areas had a major impact on the elections. This was particularly so in Harare and Chitungwiza where tripartite elections were held. It resulted in congestion with some people spending more than 48 hours in queues because of their sheer determination to vote”.

i. Manipulation of logistics to the benefit of a party/candidate

The Norwegian Observer Mission reported that in their view, “the ruling party used its incumbency to exploit state resources for the benefit of its electoral campaign. This was compounded by the Government’s near monopoly of the broadcast media – a factor which was not offset by the bias of most of the privately-owned print media in favour of the opposition MDC”.

On polling day itself, many who wanted to cast their vote could not do so because of a significant reduction in the number of polling stations in urban areas. There was an inexplicable delay in complying with a High Court order to extend voting to 11 March. Voting in Harare and Chitungwiza was especially slow, leading to many voters being turned away even at the end of the third day. These problems were not evident in the rural areas, according to the Norwegian Observer Mission Report.

The Norwegian Observer Mission noted that with some degree of “irregularity the postal voting arrangements were restricted to officials organising the elections, the disciplined forces, and diplomats and their spouses being absent from their constituency on election days. Civilians such as students temporarily living outside their constituency were not covered”. They went on to suggest that if the postal voting system is kept, consideration should be given to extending it to other groups. The Norwegian Report notes a further irregularity in that “the secrecy of the vote was not maintained during the postal voting process of the security forces. The safeguards against double voting of those casting a postal vote were not fully in place”.

3. Election Day

As a general remark, the South African Observer Mission stated in its Interim Statement that the conduct of the electorate, security forces, party agents as well as the closely followed rules of voting, counting and transparency procedures, all contributed to the relative peacefulness of the voting days. They did however, note that it is unfortunate that some registered voters were turned away because of administrative oversight. Voter turnout was among the most important in Zimbabwe’s 22 years of electoral history.

a. Easy, equitable and fair access to Polling stations, for citizens, monitors and observers

It was observed that in many provinces the voting was peaceful. Well over 50 percent of the registered voters were able to cast their vote. The major exception was the Harare Province where the voting process was excruciatingly slow resulting in the extension of both times and days of voting.

The South African Observer Mission contended that their along with that of other international observers as well as the co-operation of the Zimbabwean authorities, ensured that tensions and conflicts remained at a minimal level, thus polling days did not suffer from tensions and violence.

The SADC Parliamentary Forum and the Norwegian Observer Mission however, painted a rather different picture. In particular, the Norwegian Preliminary report noted that “polling agents for the opposition were in a number of instances harassed or intimidated by supporters of the ruling party or the police. Being the vital instrument for keeping the cheeks and balances in place in the polling stations, this represents a weakening of the trust in the voting process. Despite the reported incidents, the main opposition party seemed to have been able to achieve a fairly good coverage of polling agents in the polling stations around the country”.

The Commonwealth Observer Group and the SADC Parliamentary Forum, along with the Norwegian Observer Group raised significant problems. They each note that the capacity of the polling stations was far too low to accommodate the more than five thousand voters on average per site. The Norwegian Interim report states: “With only one processing line in each polling station, it was clear even before the election days that the number of polling stations in Harare would be too low. In some constituencies the number of voters even approached 7,000 per polling station. Already in the morning of the first day of polling the queues at some polling stations had up to 4,000 people. After three days of voting only 2,000 to 3,500 voters have been processed at the polling stations”.

The following are the generalised findings of the Norwegian Observer Group:

On the first day of voting most of those in line at 7pm were allowed to vote, in accordance with the law. Most polling stations had to stay open till early morning to accommodate the queue and some kept open around the clock. Even the last ones to vote had in many circumstances waited since before the polling station opened and thus waited for twenty-four hours to vote.

On the second day of voting, there were still long lines outside the polling stations. The message given at the polling stations was again that everybody in line at 7pm would be given a chance to vote, and again that would imply that many polling stations would have to stay open till early morning. At around 9 PM it became clear that the Harare High Court had ordered the polling stations to be reopened for a third day all over the country to accommodate the voters. Approximately an hour later an order was given by the Registrar General to close the polling stations with effect for those already in line. Upon that decision thousands of voters were turned away, many of them having waited since very early morning.

The polls were re-opened on the third day, but only in Harare and Chitungwiza, not in the whole country as ordered by the High Court. The voting did not start before 11 am, despite the fact that the polling stations were already before. A few actually opened at 7 am, but closed again after order from the Registrar General. Queues were building up

since morning, in some cases by the thousands. At seven in the evening all the polling stations closed regardless of the queues at the time. In some polling stations there were still a thousand voters in line.

The fact that a high number of voters were turned away on the second night reduced the effect of the extra polling day drastically. The patience and determination of the voters have been impressive. Even so, only the most patient among the voters has been given a chance to vote. The turnout figures for Harare are more a measure of the capacity of the polling stations over three days than the number of voters who had an intention to vote.

In the provinces outside of Harare the average number of voters per polling station was around 1,000, except in Bulawayo where it was around 3,000. The polling was therefore carried out in generally efficient manner.

Overall, the Commonwealth, SADC Parliamentary Forum and the Norwegian Mission note that the free movement of party agents was compromised by acts of intimidation and reported abductions in some provinces.

b. Administrative and procedural functioning of the Polling stations

On election days, the capacity of polling stations in Harare was wholly inadequate. Despite advance warnings, the Registrar General decided to carry out elections with as many as 5300 voters per polling station on average in Harare and Chitungwiza. In all other provinces, excepting Bulawayo, the number was around 1,000 per polling station.

On the first Election Day voters in Harare and Chitungwiza turned out in extremely high numbers. In the morning of the first day of polls up to 4,000 voters had queued up to vote. After three days of voting only 2,000 to 3,500 voters per polling station had been able to cast their votes. Despite a clear requirement in the Electoral Act to allow all voters in line at the close of the polls to vote, the Registrar General decided to close all polling stations at around 10pm on day two and at 7pm on the extended third day of voting. The thousands of voters still in line both days were sent away by the police. Many of the voters who were turned away had been waiting for ten to twenty hours in vain. Inexplicably, the polling did not start until 11 am on the third day, despite polling material and staff being present from the morning onwards at all polling stations visited by our teams. The irregular closure of the polling stations on the second and third days together with the late opening third day removed the last chance to offer voters all a fair chance to vote within reasonable time.

On polling day itself, many who wanted to cast their vote could not do so because of a significant reduction in the number of polling stations in urban areas. There was an inexplicable delay in complying with a High Court order to extend voting to 11 March. Voting in Harare and Chitungwiza was especially slow, leading to many voters being turned away even at the end of the third day. These problems were not evident in the rural areas, noted the Commonwealth Observer Group.

In the areas outside Harare the voting was carried out in an efficient manner. However, a number of incidents of intimidation were reported, including harassment of polling agents and domestic observers, resulting in fear surrounding the electoral process. Inside the polling stations visited by our observers, the technical part of the process was handled in an orderly manner, and staff at the polling stations showed a high degree of commitment to achieve a correct voting process.

The Norwegian Observer Mission Interim statement noted its gratification with the commitment of polling officials. “We were impressed by the professionalism and conscientiousness of the majority of the polling staff, many of whom also had to work for very long hours without rest”.

c. Role of the army, police and central intelligence agency on polling day

In any situation of conflict, the police were expected to be impartial.

There are significant claims that the police have been partisan in handling of the political situation when called upon to intervene. The use of riot squads to disperse potential voters in some Harare constituencies raised questions about the impartiality of the Police, said the Norwegian Observer Mission.

The Commonwealth Observer Group found “that very often the police did not take action to investigate reported cases of violence and intimidation, especially against known or suspected supporters of the MDC. Indeed, they appeared to be high-handed in dealing with the MDC and lenient towards supporters of the Zimbabwe African National Union – Patriotic Front, ZANU-PF. This failure to impartially enforce the law seriously calls into question the application of the rule of law in Zimbabwe”.

d. Political Violence, Intimidation, Harassment and Coercion

It was clear to us that while the actual polling and counting processes were peaceful and the secrecy of the ballot was assured, the Presidential election in Zimbabwe was marred by a high level of politically motivated violence and intimidation, which preceded the poll. While violent acts were carried out by supporters of both of the main political parties, it is our view that most of these were perpetrated by members / supporters of the ruling party against members / supporters of the opposition.

We were particularly concerned about the activities of paramilitary youth groups organised under a ‘National Youth Training Programme’. Members of these groups were responsible for a systematic campaign of intimidation against known or suspected supporters of the main opposition party, the Movement for Democratic Change, MDC. The violence and intimidation created a climate of fear and suspicion.

In many areas, there were reports of a strong fear of expressing political opinions. Observers reported on clear instances of fear among voters. Despite several instances of intimidation of polling agents and police raids against the opposition party offices,

polling agents of the two major candidates have been deployed in an impressive manner.

There were also a number of violent incidents in which the police dispersed voters from polling stations especially in high-density suburbs. Further, although a large number of people voted, a significant number of the electorate was unable to vote as a result of logistical, administrative and other impediments.

4. Post Election.

a. The receipt, transportation and inspection of ballot boxes and ballots

It was significant to note that the recommendation from the SADC Parliamentary Forum that observers for the polling agents to ride with the ballot boxes, was accepted and implemented by the Zimbabwean authorities.

“The counting proceeded very well”, was the verdict of the Norwegian Observer Mission.

b. Process of validation and verification of ballots

c. Independence of verification and validation process

d. Easy, equitable and fair access for monitors, observers and party agents to counting stations and counting process

On the areas identified under b, c, and d – none of the four observer missions made any findings, recommendations or observations in this regard.

Recommendations

In order to enhance confidence in the electoral process, independent electoral authorities should be created. Multi-party representation in the commission and decisive powers would be one way of achieving transparency and increasing trust in the process. The Zimbabwean Government should seriously consider establishing an Independent Electoral Commission as recommended by the Southern African Parliamentary Forum after the 2000 legislative elections and as held by the *Norms and Standards of Elections in SADC*. [*The SADC Parliamentary Forum Observer Mission*].

While it is evident that elections may not, in themselves, be a panacea to Zimbabwe’s complex situation of political conflict, an appeal to the political leadership of the country, the churches, civil society and the business sector to join hands and begin a healing process for Zimbabwe in the face of enormous problems. An election should not be construed to be one of “victor” and “vanquished”. [*The SADC Parliamentary Forum Observer Mission*].

That the Heads of State and Government of SADC countries to urgently engage the leadership of Zimbabwe to facilitate dialogue and reconciliation. Though this is within the powers of the people of Zimbabwe, through their leaders with the support of SADC, they need to constructively engage each other to avert a political crisis in the country and bring about peace. *[The SADC Parliamentary Forum Observer Mission]*.

The end of elections should provide the people of Zimbabwe with the opportunity to address what we believe are the country's key challenges: reconciliation and economic revival. *[South African Observer Mission]*

16 March 2002

**APPENDIX:
INTERNATIONAL CRITERIA ON FREE & FAIR ELECTIONS**

International IDEA: [International Institute for Democracy and Electoral Assistance: www.idea.int] defines the term "free and fair" as follows:

FREE AND FAIR ELECTION: "free" means that there is a legal framework that will ensure the regularity of the electoral process and according to which voters can express their choice freely. "Fair" means that the conditions exist in which there is respect for voters' civil and political rights can be exercised. Political rights are defined as having rights to campaign, to vote and to be elected, as well as essential additional rights, such as freedom of expression, freedom of movement and the right to associate with others and freedom and there is absence of intimidation can be exercised.

IDEA- http://www.idea.int/publications/ace/electoral_glossary.htm#f

SADC:
http://www.sadcpf.org/documents/sadcpf_electionnormsstandards.pdf

IPU:
<http://www.ipu.org/cnl-e/154-free.htm>