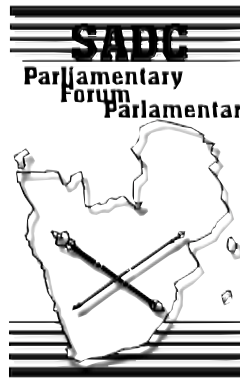


Zimbabwe Presidential
Elections 2002

Observation Mission Report



SADC Parliamentary Forum

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LIST OF ACRONYMS

ACP	African Caribbean and Pacific Countries
AU	African Union
ESC	Electoral Supervisory Commission
EU	European Union
MDC	Movement for Democratic Change
MP	Member of Parliament
NAGG	National Association for Good Governance
NCA	National Constitutional Assembly
PF-ZAPU	Patriotic Front – Zimbabwe African People’s Union
POSA	Public Order and Security Act
SADC	Southern African Development Community
UANC	United African National Council
ZANU	Zimbabwe African National Union
ZANU -PF	Zimbabwe African National Union – Patriotic Front
ZESN	Zimbabwe Election Support Network
ZBC – TV	Zimbabwe Broadcasting Corporation - Television
ZUM	Zimbabwe Unity Movement

ACKNOWLEDGEMENTS

The Head and members of the Southern African Development Community Parliamentary Forum Election Observation Mission to the Zimbabwe presidential elections wish to thank the SADC Parliaments that so willingly released their members and staff to become part of this Mission. These elections presented another golden opportunity to learn as well as contribute to the development of democracy in our region.

We are also grateful to the electoral authorities, the political parties and all the other stakeholders in Zimbabwe who were readily willing to share their experiences, provide us with information and who called on us for consultations and advice. We received ample recognition and felt honoured to be part of the process of shaping the history of the country through our participation in election observation.

The confidence that the ordinary people of Zimbabwe placed in our presence in the country at this time left us truly humbled. On many occasions, ordinary citizens approached us to say how grateful they were for our presence in the country at this time and expressed the hope that our presence would confer international recognition which is vital for the country at this moment in history.

We acknowledge the work of the Forum's Secretariat in making the necessary logistical arrangements for the Mission, and for ensuring that basic needs were met during our period of stay in Zimbabwe.

We wish to extend our sincere gratitude to the government and people of Zimbabwe for their hospitality during our stay. Our safety was assured by the security institutions and we were able to move relatively freely, and to visit even the remotest parts of the country without any threats.

We are greatly indebted to the European Union (EU) and the USAID's Regional Centre for Southern Africa for providing valuable financial assistance that made this mission possible.

Finally, we wish to acknowledge the assistance that we got from other international observer Missions that were in Zimbabwe to observe the elections. We were able to share experiences, compare notes, advise and guide each other in pursuance of a common goal of improving the conduct of elections in the region.

We hope that our conclusions and recommendations will add value to the experience of election monitoring in the region and will contribute to the achievement of the goal of attaining the Norms and Standards for the conduct of elections in the SADC region.

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MISSION PURPOSE AND TERMS OF REFERENCE

SADC-Parliamentary Forum: Election Observation Mission to Zimbabwe from 13 February to 16 March 2002

In response to an invitation by the Government of Zimbabwe (ref. letter from the Ministry of Foreign Affairs dated 4 February 2002), the SADC Parliamentary Forum is sending an election observation mission to this country. The mission is composed of 30 Members of Parliament, 20 parliamentary staff from SADC countries and seven staff from the Forum's Secretariat.

In line with the promotion of peaceful multiparty democracy and good governance as set out in the SADC Treaty and the Forum Constitution, the SADC Parliamentary Forum has taken a keen interest in election observation in its member states. In this regard the Forum has observed elections in Namibia and Mozambique in 1999, Zimbabwe, Mauritius and Tanzania in 2000, and in Zambia in 2001. It has also observed voter registration processes in Zambia (July 2001) and Lesotho (August 2001).

The mission purpose is to assess the conduct of the elections as to whether or not they are conducted in a free and fair democratic atmosphere, which will ultimately reflect the will of the people of Zimbabwe. The Forum will also identify the strengths and shortcomings of the electoral process and make recommendations on possible areas of improvement.

In order to come up with an objective and informed collective assessment, the mission will base itself on the following terms of reference:

- To observe and consult widely with relevant stakeholders about the political and security atmosphere in the country, before, during and after the poll. This will include specifically an assessment of the impact of the pre-election environment on the electoral process as a whole and its outcome.
- To assess the extent to which the elections are being conducted in conforming with the provisions of the constitutional and legal framework of Zimbabwe, the relevant international conventions which the Government of Zimbabwe has ratified as well as the Electoral Norms and Standards for the SADC countries.
- To assess the access which the Electorate have to informed balanced media; the level of civic education available for purposes of informed choice.
- To examine whether the contending political parties are free to campaign and promote their manifestos throughout the country or whether the atmosphere is one of intimidation and violence.
- To determine how inclusive is the voters' roll, whether some citizens have been unduly disenfranchised and how easy is the access to the voters' roll by the stakeholders.
- To evaluate the degree to which the secrecy of the ballot is guaranteed.

- To enquire how transparent is the electoral system in respect of the independence and impartiality of electoral institutions, assess the system of ascertaining that only eligible persons vote, and determine whether the security of the ballot boxes and papers, and the process of counting, tabulating and declaring the results are verifiable and known to the stakeholders.
- To assist the Mission in reporting on election-related conflicts while carrying out its election observation activities.
- To examine relevant aspects of the organisation and conduct of the 2002 presidential elections, such as the constitutional and legal framework, voter registration, voter education, nomination of candidates, the campaign, the role of the security forces, the media, civil society organisations, political parties and other electoral stakeholders;
- To observe the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the tabulation and declaration of results in accordance with the laws of the Republic of Zimbabwe;

The delegation is not in the country to supervise the elections but to observe the process as a whole and to form its judgement accordingly. Where it sees fit, the Mission is free to suggest to the relevant authorities, institutional, organisational and procedural recommendations that would contribute to the improvement and enhancement of the electoral process and democratic culture in the country parties.

The Mission will submit its report to the SADC Parliamentary Forum Secretariat, the Plenary Assembly of the Forum, the Government of Zimbabwe, the electoral authorities of Zimbabwe, leaders of political parties that contested the 9-10 March 2002 election, and other interested. The SADC PF thank all of its observers for their availability and commitment to contribute to the democratic consolidation and political stability in the region in general, and in Zimbabwe, in particular. The Forum wishes them a fruitful experience.

Windhoek, 05 February 2002

STATEMENT BY THE SADC PARLIAMENTARY FORUM ELECTION OBSERVATION MISSION

ZIMBABWE PRESIDENTIAL ELECTIONS 9-10 MARCH 2002

13 March 2002

The Southern African Development Community (SADC) Parliamentary Forum has completed its interim assessment of the Zimbabwe 2002 elections.

On the invitation of the government of Zimbabwe by letter dated February 4, 2002, the SADC Parliamentary Forum Observer mission constituted a delegation of 70 members, consisting of 39 Members of Parliament and support staff drawn from the Secretariat in Windhoek, Namibia and eleven parliaments of the region.

It is the policy of the Forum to observe elections of all member states starting with the pre-election phase. This is the seventh election the Forum has observed in the region since 1999.

Since its inception of the observation programme, the Forum has collectively evolved Norms and Standards for Elections in the SADC region approved in March 2001. The main objective of the Norms and Standards is to ensure the conduct of peaceful, free and fair elections in the region.

In observing the elections, the Forum was guided by the constitutional and legal framework of Zimbabwe and the Norms and Standards for Election Observation in the SADC Region. Among other things, the Mission was detailed to assess the security and political environment in which the elections were to be held.

DEPLOYMENT

The Forum deployed teams to all the ten provinces following consultations and interaction with all stakeholders, including political parties, electoral authorities, representatives of civil society, media editors, security officers and members of the diplomatic corps.

The teams proceeded to observe the campaign rallies, meetings, preparations for elections, location of polling stations, media coverage of elections, voting and counting processes and actions that impinged on the fundamental rights and freedoms of the citizens of Zimbabwe as enshrined in Part III of the Constitution.

THE POLITICAL AND SECURITY CLIMATE

The Forum observed that the political and security climate in which the elections were conducted was complex. It was characterized by high levels of polarization and political intolerance, lack of communication amongst stakeholders and lack of free flow of information to the electorate, which are necessary conditions for democracy to prevail.

We observed noticeable differences in the provinces but generally there was no euphoria that normally characterizes elections the SADC region.

VIOLENCE AND INTIMIDATION

The election campaign was marred by incidents of violence in all provinces of the country. 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).

Not only did the SADC Parliamentary Forum witness some of these acts, its Mission members were themselves targets of an orchestrated attack 10 kilometres out of Chinhoyi on 24 February 2002.

However, evidence indicated that the majority of those affected were supporters of the MDC or those perceived to be opponents of the ruling party and government. Violence was manifest in the number of hospitalized victims, numerous cases of alleged torture, arson, assault and incidences of false imprisonment.

The prevalence of violence was reflected in virtually all reports from our observers in the field, which included abduction of some polling agents of MDC. In one such incident, our observer team intervened when Police in Mashonaland Central detained 24 election agents of the opposition party who were on their way to Harare to vote.

Regrettably, the phenomena of political intolerance and violence seem to have been prevalent since the 2000 legislative elections. Acts of violence appeared to be systematically employed by youths and War veterans with camps dotted around the country.

POLICE CONDUCT

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

VOTERS ROLL

A voter's register is considered a basic condition for a successful election. In this election, concerns were 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.

FREEDOM TO CAMPAIGN

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 of opposition party meetings were cancelled or interrupted by opponents. It was however, significant that 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.

POLLING STATIONS

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 we appreciate the increase of polling stations in rural areas, 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 and bipartite elections were held. It resulted in congestion with some people spending up to 48 hours in queues because of their sheer determination to vote.

VOTING AND COUNTING

We 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.

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. The counting proceeded very well.

It was significant to note that the recommendation from the Forum observers for the polling agents to ride with the ballot boxes was accepted and implemented. However, free movement of party agents was compromised by acts of intimidation and reported abductions in some provinces.

However, the massive turnout of voters demonstrates the commitment of the people of Zimbabwe to multiparty democracy.

LACK OF INDEPENDENCE OF THE ELECTORAL COMMISSION

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. The government should seriously consider establishing an Independent Electoral Commission as recommended by the Forum after the 2000 legislative elections and as held by the Norms and Standards of Elections in SADC.

ACCESS TO PUBLIC MEDIA

There was lack of access to the public media by political parties other than the ruling party. 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 by the state-owned Zimbabwe Broadcasting Corporation (ZBC) and the Zimbabwe Newspapers deprived the electorate an opportunity to make an informed choice.

CONCLUSION

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.

MAJOR RECOMMENDATIONS

It is evident to us that elections may not, in themselves, be a panacea to Zimbabwe's complex situation of political conflict.

We therefore 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".

We also urge the Heads of State and Government of SADC countries to urgently engage the leadership of Zimbabwe to facilitate dialogue and reconciliation. We believe it is within the powers of the people of Zimbabwe, through their leaders with the support of SADC to avert a political crisis in the country and bring about peace.

Signed for and on Behalf of the SADC Parliamentary Forum Observer Mission,
Harare, Zimbabwe, 13 March 2002

Hon. Duke G. Lefhoko, MP
Head of Mission

Hon. Mrs. Elvey Mtafu, MP
Vice-Chair

Hon. Lutero Simango, MP
Vice-Chair