

ELECTION SUPPORT NETWORK SOUTHERN AFRICA



**EMINENT PERSONS OBSERVER MISSION REPORT
ON THE ZIMBABWE HARMONISED ELECTIONS
2018**

Acknowledgements

The ESN - SA Eminent Persons Observer Mission to the Zimbabwe 2018 Harmonized Elections acknowledges the support provided by the host, the Zimbabwe Election Support Network (ZESN) which is also the regional network's secretariat for organizing and coordinating the mission. Further, the Mission is grateful to the National Endowment for Democracy (NED) and Open Society Initiative of Southern Africa (OSISA) for providing financial support for the deployment of the Mission. Last but not least, the Mission acknowledges the support rendered by the Zimbabwe Election Commission (ZEC) not only for the accreditation of mission observers but for the information which enabled the observers to carry out their mandate.

About Election Support Network of Southern Africa

The Election Support Network of Southern Africa (ESN – SA) is a regional network of fifteen non-governmental organisations working in the area of elections in the Southern African Development Community (SADC) region. The ESN-SA (formally known as Southern African Development Community –Election Support Network (SADC-ESN) was established in January 1998 at a launching conference held in Dar-es-Salaam, Tanzania. It is a regional network of organisations working in the field of democracy and elections organised into country chapters. In its early formation the ESN-SA focused mainly on domestic election observation and thereafter on regional election observation; building capacity of network members to design and develop voter and civic curricula and internal capacity building.

In 2013, ESN-SA observed the Zimbabwe Harmonised Elections as well as the first round of the Malagasy Presidential Election. The Network provides opportunities for sharing lessons learnt, peer exchange, encourages exchange of best practices at the regional level and provides opportunities for members to participate in various workshops and conferences including workshops on election observation, electoral reforms, and gender equity in the democratic process.

ESN-SA is currently being hosted by one of its member organisations, the Zimbabwe Election Support Network (ZESN), which is the current Secretariat. Hence, all the Network's activities are coordinated from the said organisation based in Zimbabwe. ESN-SA is a member and sits in the Steering Committee of the Global Network of Domestic Election Monitors (GNDEM), which is pivotal in ensuring international best practice and monitoring in the conduct of domestic election observation.

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Acronyms

AU	Africa Union
BVR	Biometric Voter Registration
COMESA	Common Market for East and Southern Africa
ESN-SA	Election Support Network – Southern Africa
EU	European Union
LTOs	Long Term Observers
MESN	Malawi Election Support Network
MDC Alliance	Movement for Democratic Change
SADC EOM	Southern Africa Development Community Election Observer Mission
ZANU PF	Zimbabwe African National Union Patriotic Front
ZEC	Zimbabwe Electoral Commission
ZESN	Zimbabwe Election Support Network

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1. Executive Summary

The ESN-SA deployed a 23 member Mission from Zimbabwe and the region (Southern and East Africa). The Mission observed the last stages of the pre-election period, Election Day, and immediate post-election. The ESN-SA, met civil society, political parties, the Zimbabwe Electoral Commission, other observer missions, the Police and other stakeholders for briefings on the pre-election environment.

The ESN-SA noted improvements in the administration of the elections and the political environment. The period leading to the elections was generally peaceful; however the accuracy of the voters roll; the design, printing and distribution of the ballot papers; and, postal voting were issues of concern that were raised by political parties and civil society organisations.

On Election Day, voting proceeded in a peaceful and orderly manner, at most polling stations visited by the observer Mission. However, it was the post-election period, where demonstrations over the announcement of results, resulted in the unfortunate death of 6 citizens. The Mission notes the following areas that need improvement and makes the following recommendations:

Voter registration

The ZEC should consider targeted voter registration drives for young people and those residing in the urban areas. Even though more youth registered compared to 2013, their registration rate is low compared to the older age categories.

Media

The ZEC should enhance mechanisms for monitoring the media and its reports or updates should be publicised. The public broadcaster should ensure fair and balanced coverage of all political parties and contestants, as well as the different geographical regions in the country. The media in particular social media should desist from perpetuating hate speech and fake news.

Voters Roll

The ZEC should avail the voters roll to stakeholders in time to enhance transparency. The Electoral Laws should be amended to include specific timelines when the voters roll ought to be made available to stakeholders. Independent external audits should be commissioned by the ZEC to assess the quality of the voters roll. These audits will go a long way in building public confidence.

Assisted voters

Whilst the law is clear as to whom can be a confidante for an assisted voter, the rules need to be applied procedurally so as not to violate the secrecy of the vote. The ZEC Election Manual should provide adequate details on the procedure for assisted voters, so as not to compromise the secrecy of the vote. The ZEC can also consider other measures to reduce the numbers of assisted voters, including comprehensive voter education, use of braille ballot papers for the visually impaired and more vigilance in determining who can be assisted.

Results management system

The mode of transmission of results from the polling to the national results centre should also be reviewed to speed up the release of election results to maintain credibility. The Commission should consider establishing an electronic results transmission system to promote accuracy in the results announced and transparency.

Women's participation in elections

A conducive environment needs to be created to ensure participation of women. The ZEC and political parties should put in place measures to facilitate the increase in the participation of women in elections. Legally binding quotas and enforcement mechanisms should be enacted by Parliament. Political parties should devote resources to women candidates to encourage their participation.

Physically challenged

Polling stations should be located in places that are easily accessible for the physically challenged.

Braille Ballot Papers

The ZEC should establish the number of voters who are visually impaired and will require braille ballot papers, this will reduce the number of voters needing assistance.

2. Background

The Zimbabwe Election Commission (ZEC) conducted the 2018 harmonized elections on July 30, 2018. The elections created world-wide interest being the first the former President Robert Mugabe and the late Morgan Tsvangirai were not contesting.

In November, 2017, Zimbabweans from all walks of life supported the removal of former President Robert Mugabe from power through a military supported power transfer. This ushered in a new dispensation led by the current President Emmerson Mnangagwa who was sworn in on 24 November, 2017. In his inauguration speech, President Mnangagwa maintained that the elections would go ahead as scheduled despite the change in government.

On February 14, 2018, Morgan Tsvangirai, the leader for the Movement for Democratic Change (MDC-T) succumbed to cancer leaving behind a fragmented political party with three deputies, Nelson Chamisa, Elias Mudzuri and Thokhozani Khupe all vying for leadership. Chamisa and Thokhozani Khupe took their power struggle to court over the political party name¹. Thokhozani Khupe won the court case and retained the party name MDC-T compelling Chamisa and his allies to use the name MDC Alliance.

In the run up to elections, Zimbabwe witnessed a record number of political parties signaling interest in participating in the 30 July polls. A total of 135 political parties registered interest to participate in the elections. Some of them joined the three alliances namely the MDC Alliance, CODE and People's Rainbow Coalition.

In preparation for the 2018 harmonized elections, the Zimbabwe Election Commission (ZEC) introduced the Biometric Voter Registration (BVR) exercise which was launched on 17 September, 2017 throughout the country. This new system paved way for a new voters roll that captured not only personal details of voters, but biometric features of an individual. ZEC managed to register 5,695 706 voters¹.

The Government of Zimbabwe extended invitations to observe the elections to about 44 countries as well as international and regional observer groups. It is against this background that the Election Support Network of Southern Africa (ESN-SA) brought a delegation of eminent persons to observe the elections.

The Mission was guided by International Standards Governing Elections; the African Charter on Democracy, Elections and Governance (ACDEG); SADC Principles and Guidelines on Democratic Elections; and Principles of Election Management, Monitoring and Observation in the SADC region (PEMMO).

Further the mission was guided by the following objectives:

¹ <https://www.aspistrategist.org.au/zimbabwe-death-morgan-tsvangirai-post-mugabe-era/>

- (i) To increase citizen participation in key electoral processes and strengthen the oversight role of the Southern Africa Eminent Persons in the Zimbabwe election
- (ii) To coordinate a successful regional observation mission for Southern Africa Eminent Persons for the Zimbabwe 2018 elections

The ESN-SA Eminent Persons Observer Mission to the Zimbabwe 2018 Harmonized Elections comprised of 15 regional and 8 local observers. The countries represented in the mission were Mozambique, Malawi, South Africa, Tanzania, Zambia, Swaziland, Namibia, Kenya and Zimbabwe. The Leader of the delegation was Dr. Salamao Tomaz from Mozambique. He is the former Executive Secretary of SADC. Dr. Tomaz was co-deputized by Ms Priscilla Isaacs, former Chief Elections Officer (CEO) of the Electoral Commission of Zambia (ECZ) and Father Fidelis Mukonori from Zimbabwe who was the Chief negotiator during Operation Restore Legacy in November 2017.

Members of the observer mission were drawn from the regional and local civil society organizations, churches, business sector and academia. This brought a unique and diverse component to the observation mission. The full list of the accredited ESN – SA observers is attached as Annex 1.

The SADC Eminent Persons Observer Mission to Zimbabwe deployed from 25 July to 1 August 2018. During their briefing and orientation sessions, the observers met with civil society organizations, political parties, the police, the media, youth organizations, political analysts and ZEC. After briefing and orientation sessions, the observers were deployed in teams of two in 8 provinces of Zimbabwe. These are Harare, Bulawayo, Mashonaland East, Mashonaland Central, Mashonaland West, Midlands, Masvingo and Manicaland.

3. Election Observation Methodology

The ESN-SA deployed an observation mission of 23 observers, 15 from the region and 8 from Zimbabwe, drawn from the following sectors:

Table 1: ESN- SA Observers

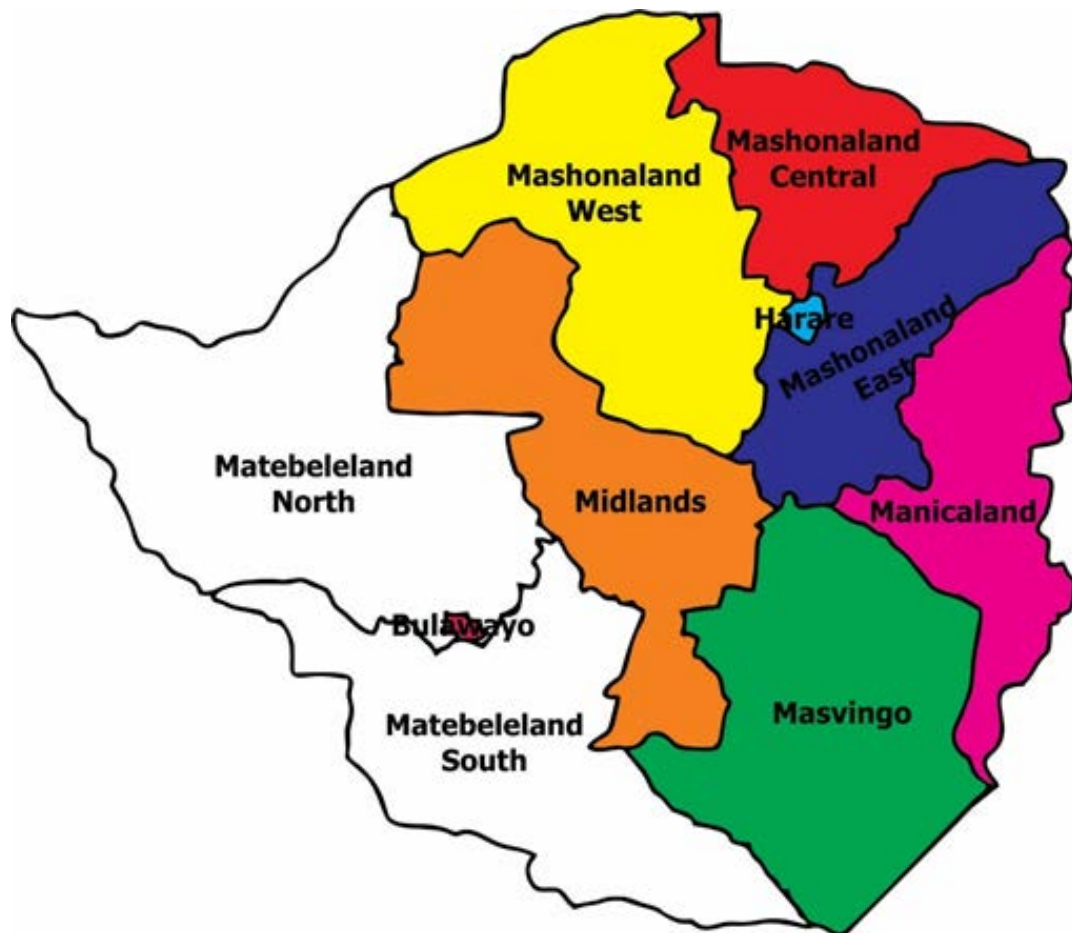
Sector	Number of Observers
Academia	2
Business	2
Election Management Bodies	2
Churches / Faith Based Organisations	8
Civil Society Organisations	9
Total	23

The Mission observed the last stages of the pre-election period, Election Day and the immediate post-election period. A 2-day training was conducted focusing on the pre-election environment; media; voter registration, and voter education; voters roll; legal framework; international and regional standards that government the conduct of democratic elections, observers' Code of Conduct; dos and don'ts of observers; security; and observation checklists that the mission was going to use.

The Mission received briefings from civil society organisations, the Police, MDC Alliance, ZANU PF, Coalition for Democrats (CODE), ZEC, the academia and political analysts. The Mission also engaged with other observer missions representing, the African Union, SADC Election Observer Mission, SADC Parliamentary Forum, and Common Market for East and Southern Africa (COMESA). The Mission also attended the final rallies of the ZANU PF and the MDC Alliance.

The Mission was deployed in 8 provinces for 3 days; Bulawayo, Harare, Mashonaland Central, Mashonaland East, Mashonaland West, Manicaland, Masvingo and Midlands, as shown in Figure 1 below.

Figure 1: Areas of Deployment



Key: Provincial areas observed

	Bulawayo
	Harare
	Manicaland
	Mashonaland Central
	Mashonaland East
	Mashonaland West
	Masvingo
	Matebeleland North
	Matebeleland South
	Midlands

Shaded are the eight Provincial areas that were observed by the Eminent Persons observer delegation teams

In the various provinces the teams met, ZESN Long Term Observers (LTOs), the police and other EOMs and stakeholders. On Election Day, the teams visited a total of 136 polling stations and managed to observe opening, voting, counting and results tabulation process at polling station level. The teams were provided with checklists as a way of standardizing data collection. The checklists covered opening procedures; voting; and counting of results.

A post-election de-briefing session was conducted to discuss Election Day observations, challenges, what went well and lessons learnt. The discussions provided the basis upon which the preliminary statement was drafted also attached as Annex 2.

4. Legal Framework

The legal framework for elections in Zimbabwe is guided by international and regional conventions on elections which include, the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), AU Charter on Democracy, Governance and Elections, SADC Principles Governing Democratic elections, among others.

The Constitution of Zimbabwe also forms the bedrock upon which the electoral architecture is premised. Fundamental freedoms of assembly, association, expression, and media are enshrined in the Constitution. Section 67 of the Constitution further provides for free and fair elections, free political choices, free and peaceful campaigns, participation in peaceful political activity, and form, join and participate in the activities of a political party or organisation of choice. Section 155 of the Constitution provides for elections which must; be peaceful, free and fair; conducted by secret ballot; based on universal adult suffrage and equality of the votes; and free from violence and other electoral malpractices. Functions of the ZEC are provided in Section 239 of the Constitution.

The Electoral Act (Chapter 2:13) provides the basis upon which the electoral operations and elections are conducted. Other laws relating to elections in Zimbabwe, include the Political Parties (Finances) Act (Chapter 2:06), Public Order Security Act (POSA), Access to Information Protection of Privacy Act (AIPPA), electoral regulations, among others.

The Electoral Amendment Act of 2018 was gazetted on the 28th of May 2018 bringing into effect a number of critical reforms ahead of the elections. Some of the new provisions adopted include, provisions on Biometric Voter Registration (BVR)², that the ZEC should maintain and keep electronic and printed voters rolls and ZEC prepare and maintain in printed and electronic form a consolidated national roll; and consolidated ward and constituency roll. Whilst previously voter registration for the elections closed 12 days after nomination, amendments were made, and the voters' roll and voter registration would close 2 days after proclamation. The new provisions also provide for the Commission to provide voter education that is adequate, accurate, gender sensitive and unbiased, whilst the clause that voter education cannot be conducted using foreign contributions or donations was repealed. The Commission is now mandated by the law to ensure that ballot papers that are printed do not exceed 10%. The Electoral Act now removes the requirement for an electoral officer to witness how a visually impaired person votes if they bring a person of their own, establishes the Electoral Court as a subdivision of the High Court, among others.

² Section 157 (1) b) provides that an Act of Parliament must provide for the conduct of elections and referendums to which this Constitution applies, and in particular for the following matters - the registration of voters, and requirements for registration on particular voters' rolls. BVR commenced on the 14th of September 2017 through proclamation of Statutory Instrument

Despite these improvements, the legal framework contains several gaps and has not been fully aligned to the Constitution, for example the right to vote especially for Zimbabweans in the diaspora, and a framework to guide the operations and accreditation of long term observers. There is need to clarify the scope of the Electoral Court's subject matter jurisdiction, whether the court will deal only with election petitions or any other election related matters whenever they arise at any period in the electoral cycle³. The electoral law must make provision for the provincial councils and election of chairpersons for the provincial councils as provided for in Section 268 of the Constitution that provides for devolution of power⁴.

a) Proclamation

Statutory Instrument 83 of 2018, set 30 July 2018 as the date for the election of President, National Assembly, and councillors, in accordance with the Constitution of Zimbabwe⁵ and the Electoral Act⁶. 14 June 2018 was set as the day the Nomination Court would seat for candidates to submit their nomination papers. The 8th of September 2018 was set as the date of the runoff in accordance with the Electoral laws.

b) Election Management

The ZEC is the body with the responsibility to conduct and manage electoral processes and elections. Section 238 of the Constitution provides for the establishment and composition of the ZEC. The ZEC is made up of a Commission, led by a Chairperson who must be a judge or former judge, or a person qualified for appointment as a judge, and there are eight (8) other members of the Commission. The Chairperson is appointed by the President after consultation with the Judicial Service Commission (JSC) and the Committee of Standing Rules and Orders. The other eight members are appointed by the president from a list of not fewer than twelve nominees submitted by the Committee on Standing Rules and Orders⁷. Functions of the ZEC are provided in Section 239 of the Constitution, and include; registration of voters'; compiling voters rolls; delimiting constituencies; designing, printing and distributing ballot papers; conducting and supervising voter education; and, accreditation of observers.

On 9 December 2017, the then former Chairperson of the ZEC, Justice Rita Makarau resigned, 7 months before the 2018 harmonised elections and during the process of the BVR. She was replaced by Justice Priscilla Chigumba, who was appointed on the 31st of January 2018 and sworn in on the 1st of February 2018, after the President made consultations with the Judiciary Service Commission (JSC) and Parliament's Committee on Standing Rules and Orders. The then Chief Elections Officer (CEO), Constance Chigwamba was re-posted to the Public Service Commission from 1 March 2018, and Mr. Utoile Silaigwana was appointed as the Acting Chief Elections Officer. Two fundamental changes and appointments were made six months before the elections at a time when a new voter registration exercise was underway.

³ <http://www.zesn.org.zw/wp-content/uploads/2015/10/ANALYSIS-OF-THE-ELECTORAL-AMENDMENT-ACT-OF-28-MAY-2018.pdf>

⁴ Ibid

⁵ According to section 158 (1) of the Constitution; A general election must be held so that polling takes place not more than (a) thirty days before the expiry of the five-year period specified in section 143. Section 143 (1) of the Constitution provides that Parliament is elected for a five-year term which runs from the date on which the President-elect is sworn in and assumes office in terms of section 94 (1) (a), and Parliament stands dissolved at midnight on the day before the first polling day in the next general election called in terms of this Constitution.

⁶ Section 46 (17) (c) and 125 (4) (b) of the Electoral Act (Chapter 2:13)

⁷ Section 238 (1) (a) (b) of the Constitution

Development partners such as the United Nations Development Programme (UNDP), Electoral Institute for the Sustainability of Democracy in Africa (EISA) and International Foundation for Electoral Systems (IFES) provided technical support in areas such as voter education, voter registration, communication, stakeholder engagement meetings amongst others. The African Union (AU) also provided technical support in facilitating training of election officials and printing of election manuals.

The ZEC was able to carry out all stages of the electoral process in accordance with the electoral timelines provided in the Electoral laws. Though a bit late the, ZEC came up with a comprehensive Elections Calendar, with timelines for implementation of electoral processes. The ZEC made concerted efforts to engage electoral stakeholders. ZEC convened observer and media briefings; CSOs and FBOs briefings as well as Multi Party Liaison Committees (MPLCs) were established to resolve problems through dialogue and assist in the implementation of the Code of Conduct for political parties.

c) Biometric Voter Registration

On the 8th of September 2017, the then former President of Zimbabwe, Robert Gabriel Mugabe, ordered a new registration exercise in the country. The order designated the period between September 14, 2017, and January 15, 2018, as the period in which the new voter registration exercise would take place. On 14 September 2017, the ZEC started BVR. The process was carried out in 4 phases, for 72 days and a mop-up blitz was conducted between 10 January and 8 February 2018, because of requests for an extension from civil society organisations and following a landmark high court ruling that allowed Zimbabweans of foreign descent, formally referred to as aliens to register as voters. During the BVR exercise, lesser kits were allocated to Harare and Bulawayo, and this could have had an impact on the number of registered voters'. Other issues witnessed during BVR include; intimidation of registrants through recording serial numbers on the voter registration slip, collection of slips.

The ZEC registered 5,695 706 voters and provincial registration statistics are indicated in table 3 below;

Table 2: Registered Voters: Province

Province	Registered Voters'
Bulawayo	258 567
Harare	900 728
Mashonaland East	633 410
Mashonaland Central	531 984
Mashonaland West	655 133
Manicaland	733 370
Masvingo	617 212
Mat North	339 135
Mat South	264 185
Midlands	761 982
Total Registered	5 695 706

Source: Zimbabwe Electoral Commission

Voter registration for the 2018 harmonised elections closed on the 1st of June, but continued at all district and provincial offices though those who registered after the cut-off date would not vote in this election.

d) Voters Roll

Section 239 (d) (e) of the Constitution provides for the ZEC to compile voters rolls and registers; and to ensure the proper custody and maintenance of the voters rolls and registers. The Mission learnt that 79% of the eligible population registered, that is 5,695 706 million from a projected 7.2 million. There is an increase in women registered voters at 54%. Registration for youth also increased in comparison to 2013. The registration rate in the rural areas is 83%, a decrease from 97% in 2013 and in the urban areas at 72%, this is an increase were in 2013 it was 67%. Through briefings the Mission learnt that the 2018 voters' roll is an improvement from the 2013 register, however there are anomalies and errors that require further cleaning. However to note is that registration for the youth and those residing in the urban areas still remains low.

Stakeholders raised concerns about the availability of the final voters roll. The voters roll was not availed to political parties/ and or candidates before nomination, and this was a problem for some contesting candidates who failed to meet the required number of nominators as they could verify, whether their nominators were registered or not. The voters roll which was availed by the ZEC after nomination was not the final one. Stakeholders continued to raise concerns with the ZEC concerning the quality of the voters roll and availing of a biometric voters roll. The ZEC availed the final voters roll on the 25th of July 2018 a few days before the elections, making it difficult for any analysis and any cleaning. In the future the voters roll should be availed on time to allow for analysis and further cleaning.

e) Voter Education

The Constitution of Zimbabwe in Section 239 (h) provides for the ZEC to conduct and supervise voter education. Civil society organisations must obtain approval from the ZEC to conduct voter education. Political parties can conduct voter education without seeking approval from the ZEC. The voter education conducted has to be adequate, unbiased and gender sensitive. The clause that voter education cannot be conducted with foreign funding was repealed by the Electoral Amendment Act of 2018.

Voter education commenced after proclamation, with voter education for nomination and then voter education for polling. The ZEC used radio, television, and social media as primary platforms for voter education information dissemination. ZEC also deployed 4 voter educators per ward who moved door to door conveying voter education messages. ZEC distributed flyers, posters, and pamphlets on voter education. The messaging focused more on polling day processes and procedures and less on the secrecy of the vote.

Civil society organisations also complemented efforts of the ZEC in voter education. CSOs conducted road shows in partnership with the ZEC. CSOs also used social media, and radio (adverts and radio shows) for voter information and education dissemination. Posters, flyers, pamphlets were distributed, and bill boards were also used for information dissemination.

f) Media

The Constitution of Zimbabwe in Section 61 (3) provides that all state-owned media of communication must be impartial and afford fair opportunity for the presentation of divergent views and dissenting opinions. Section 155 (2) (d) of the Constitution provides that the State must take all appropriate measures including legislative and must, provide all political parties and candidates contesting an election or participating in a referendum with fair and equal

access to electronic and print media, both public and private. Section 160 of the Electoral Act provides for regulations concerning the conduct of the media during the electoral period, as well as media monitoring by the ZEC to ensure equity, fair, balanced and unbiased coverage of political parties and candidates during the election period. The Act further provides that the news media should avoid language that encourages racial, ethnic, or religious prejudice, hatred, incites violence, and lead to undue public contempt towards any political party, candidate or class of persons.

The Mission however observed that coverage of political parties on the public broadcaster was not equal. The ruling party enjoyed more airplay than other parties. Opposition political parties in some cases were covered in the negative.

Section 160K of the Electoral Act provides for the ZEC to monitor the Zimbabwean news media during elections. A committee was established by the ZEC to monitor the media. However, opposition political parties decried the high costs of advertising on public media. Reports by the Committee were not made public, the publication of these reports could have enhanced transparency.

g) Campaigns and Political Party Rallies

Subject to the Constitution, every citizen has the right, to campaign freely and peacefully for a political party or cause. Generally, campaigns were conducted in a peaceful environment. Political parties could campaign in all areas. Incidents of intimidation and violence that were recorded were very low. The Mission observed the last rallies of ZANU PF and MDC Alliance, where they noted high levels of tolerance and orderliness.

h) The Role of Other Independent Commissions Supporting Democracy

Other Independent Commissions supporting democracy, such as the Zimbabwe Human Rights Commission (ZHRC) and the National Peace and Reconciliation Commission (NPRC), played a pivotal role during the period of the 2018 harmonised elections. The ZHRC, continuously monitored the environment and deployed observers from the 23rd of July to the 6th of August 2018⁸. The ZHRC deployed 23 observers to all 10 provinces of Zimbabwe. The NPRC was instrumental in convening the signing of the National Peace Pledge for the 23 contesting presidential candidates as a commitment to peaceful elections. Presidential candidates or their representatives from 22 political parties signed the Peace Pledge in Harare on Tuesday 26 June and 29 June⁹.

i) Role of civil society

Civil society organisations played a crucial role prior and during the 2018 harmonised. CSOs conducted voter education; observed electoral processes and the elections; mobilized citizens to register and participate peacefully in elections; raised awareness on the electoral processes and provided civic education; monitoring of human rights abuses. CSOs were also involved in advocacy initiatives to promote credible elections. The Mission was able to meet CSOs representatives from the Zimbabwe Lawyers for Human Rights (ZLHR), Zimbabwe Peace

⁸ <http://www.zhrc.org.zw/zimbabwe-human-rights-commission-zhrc-deploys-election-monitors-countrywide/>

⁹ <http://buildingblocks4peace.nprc.org.zw/peacepledge>

Project (ZPP), and the Youth Empowerment Transformation Trust (YETT). The representatives from CSOs provided perspectives on the legal framework for elections; political environment; role of the youth; and the preparedness of the ZEC.

j) The Role of Religious Leaders

The role of religious leaders in Zimbabwe has been crucial in maintaining peace and stability in the country. The call for peace throughout the electoral process contributed to the conducive political environment that Zimbabweans enjoyed during the run up to the elections. Religious leaders have created platforms for engagement with the country's leadership and political parties to have dialogue to resolve disputes. The Union for Development of the Apostolic Churches in Zimbabwe (UDACIZA) established Peace Committees which encouraged church leaders to conduct sermons of peace and aid the Zimbabwean Peace process. The Peace Committees cut across provinces so as to cover a greater part of the nation. They also established youth committees for the youth to target issues around promotion of peace. Zimbabwe Council of Churches (ZCC) contributed immensely through establishment of "monitoring personnel". The monitoring personnel were deployed in areas with a known history of violence for detection and reporting. They also contributed towards peace building amongst church members, so that peace prevails between Protestants and church leaders.

Evangelical Fellowship of Zimbabwe (EFZ) came up with a discourse of thinking theology project and established a radio dialogue slot to engage the nation at large on matters concerning the electoral process. The radio platform paved way for engagement with the youth, religious institutions or leaders of various congregations and the government institutions in electoral issues. In this regard the Eminent Persons delegation comprised of prominent religious personnel to emphasize the need of inclusivity of varying stakeholders in election matters.

k) Gender perspective in the Zimbabwe Harmonized Elections

The 2018 harmonized elections made history when for the first time four (4) women contested as Presidential candidates. These were Joyce Mujuru of the People's Rainbow Coalition (PRC), Thokozani Khupe of MDC-T, Violet Mariyacha of the United Democratic Movement (UDM) and Melba Dzapasi of the # 1980 Freedom Movement of Zimbabwe. Their participation in the presidential race created a lot of interest in the electoral process when the four candidates were featured in a live debate hosted by ZESN on various topics during the run up to elections. According to the 2012 Census¹⁰, 52% of the country's population are women, the decline in the number of women in political leadership positions has been attributed to several factors some of which include intimidation by male counterparts, lack of financial resources to mention but a few.

The Zimbabwe Constitution Chapter 2 Section 17 (1) (a & b) promotes the full participation of women in all spheres of the Zimbabwean Society on an equal basis with men. Further, the Gender Commission which operates independently focuses among other issues on discrimination. However, despite these provisions, in political leadership areas, Zimbabwe has not achieved the desired results. The 8th Parliament of Zimbabwe had a total of 350 Members of which 226 were men and 124 were women. Although this was an improvement from the 7th Parliament, it represented 35% instead of the 50% of the total number of Parliamentarians

¹⁰ https://unstats.un.org/unsd/demographic/sources/census/wphc/Zimbabwe/ZWE_CensusPreliminary2012.pdf

which women’s groups and other lobby groups have been advocating for. Therefore, the participation in the presidential race was seen as a positive step towards gender equality.

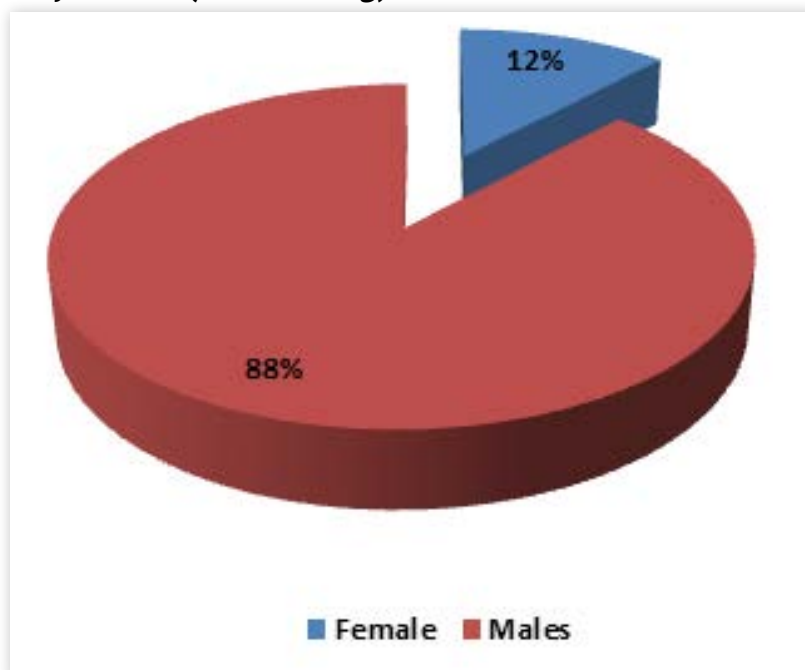
On a positive note, the Eminent Observers noted the high number of female polling officials at most of the polling stations.

Table 3 below shows the proportional representation women’s quota for the 2018 elections.

PROPORTIONAL REPRESENTATION WOMEN’S QUOTA 2018 HARMONISED ELECTIONS BY PROVINCE AND POLITICAL PARTY						
SER	PROVINCE	No. OF SEATS	POLITICAL PARTIES No. OF SEATS			TOTAL
			MDC-ALLIANCE	MDC-T	ZANU PF	
1	Bulawayo	6	3	1	2	6
2	Harare	6	4	0	2	6
3	Manicaland	6	3	0	3	6
4	Mashonaland Central	6	1	0	5	6
5	Mashonaland East	6	2	0	4	6
6	Mashonaland West	6	2	0	4	6
7	Masvingo	6	2	0	4	6
8	Matabeleland North	6	3	0	3	6
9	Matabeleland South	6	2	0	4	6
10	Midlands	6	2	0	4	6
	Total	60	24	1	35	60

Of the 210 direct voting national assembly seats, 25 (12%) were won by women and males occupy the remainder of the seats (see Figure 1).

Figure 2: Seats won by women (direct voting)



Number of women in the National Assembly

Women occupy 85 (31.48%) of the 270 seats in the National Assembly. These seats are a combination of both the quota seats reserved for women and those women elected through direct voting. Zimbabwe is still far from achieving the 50/50¹¹ provided for by the SADC Protocol on Gender and Development. Unfortunately the quotas (60 seats reserved for women) will not be applying in the next elections in 2023, unless women advocate for legislated quotas, quotas at party level and other mechanisms that promote their full participation in elections and decision-making it will not be easy to achieve the 50/50.

Article 13 of the SADC Gender Protocol provides that States Parties shall adopt specific legislative measures and other strategies to enable women to have equal opportunities with men to participate in all electoral processes including the administration of elections and voting. The Government of Zimbabwe needs to put in place specific measures for the full participation of women, which include legislative, financial, political and administrative frameworks. There is need to demonstrate political will and commit to meaningful participation (both quantity and quality) of women in elections.

¹¹ ARTICLE 12 States Parties shall endeavour that, by 2015, at least fifty percent of decision-making positions in the public and private sectors are held by women including the use of affirmative action measures as provided for in Article 5. 2. States Parties shall ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision making positions, democracy, good governance and citizen participation.

5. Election observation: Election-Day

The ESN-SA deployed 23 observers in 8 provinces of Zimbabwe to observe the last phases of the pre-election activities, Election Day and post- election phases of the 2018 Zimbabwe Harmonised elections.

Table 4: Areas of Observation

Province of Deployment	Constituency Observed	Location
Harare	Mbare	Urban
	Harare Central	Urban
	Harare East	Urban
	Harare West	Urban
	Mabvuku- Tafara	Urban
	Harare North	Urban
	Epworth	Urban
Mashonaland Central	Bindura North	Urban
	Bindura South	Rural
Midlands	Gweru Urban	Urban
	Chiwundura	Urban
Bulawayo	Bulawayo South	Urban
	Bulawayo Central	Urban
	Bulawayo East	Urban
	Nketa	Urban
	Nkulumane	Urban
	Pumula	Urban
	Magwegwe	Urban
	Lobengula	Urban
	Pelandaba Mpopoma	Urban
	Luveve	Urban
	Emakhandeni/ Entumbane	Urban
	Makokoba	Urban
Mashonaland West	Norton	Urban/ Rural
	Kadoma Central	Urban
Masvingo	Masvingo West	Rural
	Masvingo Urban	Urban
Mash East	Mutoko	Rural
	Seke	Rural
	Mudzi North	Rural
	Goromonzi North	Rural
	Goromonzi South	Rural
Manicaland	Mutare Central	Urban
	Dangamvura Chikanga	Urban
	Mutasa South	Urban

The eminent persons Mission notes the peaceful, serene and tranquil environment that prevailed during the pre-election period and on Election Day.

The Mission congratulates the people of Zimbabwe for exercising their constitutional right to vote peacefully and commends ZEC for the smooth conduct of the election on poll day.

a) Election Day Environment

On Election Day, the eminent observers visited a total of 136 polling stations in the following provinces shown in Table 4 above. The mission observed all the stages on polling day i.e. setting up polling stations, the opening of polls, voting, and closing of the polling stations and counting. The environment was generally calm and peaceful, in the areas the Mission observed.

On Election Day the Mission made the following observations:

- The elderly, nursing mothers, expectant mothers and persons with physical challenges were given priority stand at the front of the queue. The Mission commends these efforts by the ZEC to ensure inclusivity.
- Separate queues for men and women
- High turnout as long queues were seen
- The high level of participation of women as polling staff

b) Opening of Polling Stations

Most of the polling stations that observers visited opened on time and all the essential materials for polling such as ballot papers, ballot boxes, voters roll, ZEC stamps and voters roll exclusion lists were available. On average, there were 9 to 10 polling officials and an average of 5 females at every station visited with long queues witnessed outside polling stations in the morning.

c) Voting

The Mission notes that in the areas visited by its observers, the voting process progressed smoothly throughout the day. The eminent persons commends the ZEC for ensuring that the voting process proceeded in an orderly manner. Generally, observers and party agents were able to perform their duties without any hindrances.

d) Areas of concern

The mission noted the concerns raised by stakeholders on the voters register and printing of ballot papers and encourages ZEC to engage stakeholders after the elections to address these matters to ensure that they are not an issue in future.

Areas in need of improvement are:

i) Allocation of polling stations

There was confusion at some polling stations as some voters had no knowledge of where they would vote from. Some voters were turned away because they joined the wrong queue and had to be redirected to their correct polling stations.

ii) Voting Process

It was noted that in some cases assistance by the Presiding Officer was witnessed by a police officer and two polling staff, for example at David Livingstone Primary School in Harare. This number of witnesses compromised the secrecy of the vote.

The voting process at some polling stations with larger voter population was slow.

The Mission noted the challenge of poor lighting at some polling stations in tents which could have compromised the vote counting process. Some polling stations in the rural areas were using candles.

There were some missing voters from the register, and yet there were no clear or standardised instructions on how to deal with such cases.

Also of concern was the small print on the Presidential ballot paper which should be reviewed.

The Mission noted that the Commission did not print braille ballot papers for the visually impaired. This could have reduced the number of assisted voters.

iii) Counting of results

Some polling stations delayed the start of the counting of ballots due to the amount of paper work required for the ballot paper account. Results transmission and announcement of results delayed and anxieties were fuelled by results circulating on social media. The MDC Alliance also raised concerns that their Chief Elections Agents did not verify presidential results.

6. Post-Election

a) The Political Environment

While the election took place in a peaceful environment, the post-election period was marred by violence which caused the loss of six (6) lives on 1 August 2018. Several shops were destroyed and a number of vehicles were set on fire in Harare's central business district in the post-election violence. Demonstrators took to the streets to protest against the manner in which ZEC conducted the elections.

The angry demonstrators also marched to the Rainbow Towers, where most observation missions were holding press conferences on their preliminary statements and later moved to the ZEC Offices. According to the Police Chief Spokesperson, Assistant Commissioner Charity Charamba, the police sought assistance from the army to control the demonstrators. In the ensuing commotion the army used live ammunition resulting in the death of six people¹².

Observer Missions to Zimbabwe, including the ESN-SA Eminent Persons issued statements condemning the violence and urged all contesting parties who had grievances to take recourse in courts of law as articulated in Section 93 of the Zimbabwe Constitution¹³ with provisions outlined under Section 167 of the Electoral Act instead of taking their concerns in the streets as this could only further endanger people's lives, create anarchy instead of resolving the problems.

Both the ruling party Zanu (PF) and the MDC Alliance gave statements accusing each other of causing the incident which claimed the loss of six lives. President Mnangagwa promised that after his inauguration, he was going to institute a full inquiry comprising of both local and international independent people to investigate the shooting incident. He further reiterated his stance on the matter in his inauguration speech on 26 August 2018.

b) The Security Situation

Despite the violence that rocked Harare on 1 August 2018, the political environment in Harare and most of the country remained calm leading to the MDC Alliance court case on 22 August, 2018. The hearing proceedings took place amid calls by the Police for peace to allow the court to deliberate on the MDC Alliance petition without interference from members of the public. In a statement by the Chief Police spokesperson, Assistant Commissioner Charity Charamba, the police and other security agents were on high alert to ensure that peace is maintained as the court case ensued. According to a statement by the Zimbabwe Republic Police, some roads within the vicinity of the Constitutional Court were closed from 22nd to 23rd August, namely: Sam Nujoma/Selous; Samora Machel/Sam Nujoma; Samora Machel/Simon Muzenda.

¹² <https://www.hrw.org/news/2018/08/03/zimbabwe-least-6-dead-post-election-violence>

¹³ https://pindula.co.zw/Constitutional_Court_of_Zimbabwe

7. Dispute Resolution

a) Constitutional Court

The Constitutional Court of Zimbabwe (ConCourt) is the highest court of appeal on all matters that deal with the constitution. It is the court that also deals with electoral related disputes. In that regard, all rulings and judgements made in that court are binding and therefore cannot be reversed. While the High Court and Supreme Court can deliberate and rule on the unconstitutionality of cases brought before them, the ruling can only be effective upon confirmation by the Constitutional Court. Established under Section 66 of the Zimbabwe 2013 constitution, the Court is composed of the Chief Justice, the Deputy Chief Justice and seven other judges of the Supreme Court to make a full bench of nine (9) judges. The Chief Justice appoints judges of the Constitutional Court in consultation with the Judiciary Service Commission.

The Constitutional Court deals with the following cases:

- (i) Cases concerning infringements of fundamental rights in line with Chapter 4 of the constitution and;
- (ii) Cases dealing with grievances concerning the election of the Head of State/President and Deputy President of the country.

In terms of jurisdiction, the constitutional court may among others:

- (a) Advise on constitutionality of any proposed legislation;
- (b) Hearing of whether a person qualified to hold the office of President or deputy President of the country;
- (c) Presides over disputes on elections of President/Vice President and;
- (d) To determine whether the Parliament or the country's President acted against the constitution.

b) Petition of the MDC Alliance at the Constitutional Court

In accordance with Section 93 of the Zimbabwe Constitution which provides any aggrieved candidate to seek recourse through the courts of law and also in line with the Section 167 of Electoral Act, the Movement for Democratic Change Alliance (MDC) on the 10th of August, 2018 filed a petition to the Constitutional Court challenging the results of the Presidential Elections. The Zimbabwe Election Commission (ZEC) and President Emmerson Mnangagwa were cited as respondents to the court case. Both the ZEC and President Elect, Mnangagwa submitted their responses to the petition.

In the filed petition, Chamisa challenged the declaration of Emmerson Mnangagwa as the winning Presidential candidate of the July 30 elections. The Constitutional Court dismissed petitions of other presidential candidates on the basis of inappropriate submissions of their petitions. This is in line with Section 68 (3) of the Electoral Act. Issues of concern raised in the MDC petition among others include, discrepancies in the voter register, some missing V11, V23 forms, ghost polling stations and ghost voters. Further, through his lawyers Chamisa claimed that the results announced by ZEC which proclaimed Emmerson Mnangagwa leading by 50.8% (which was later adjusted to 50.6%) of the total presidential votes country wide, while Chamisa's votes are 44.3% (adjusted to 44.2%) were not consistent with the figures the MDC Alliance had.

Taking into consideration Section 171 (1) of the Electoral Act, which provides for an open court hearing, the Constitutional Court allowed the proceedings to be covered live on the ZBC and other different social media platforms. The nine (9) judges led by the Chief Justice, Justice Luke Malaba presided over the court case on Wednesday 22nd August, 2018. The court proceedings started at 10 a.m. and adjourned around 7 p.m. reserved judgement to Friday, 24th August, 2018 at 2.p.m.

On 24 August 2018, the Constitutional Court of Zimbabwe resumed to give ruling on the MDC Alliance petition. Before rendering their judgment, the Chief Justice, Justice Malaba made among other issues the following observations:

- (i) That Chamisa failed to make use of the Constitutional provisions which allowed the aggrieved party to make an urgent application within the stipulated 48 hours after the announcement of results. However, in the interests of all concerned, the court deliberated on the matter.
- (ii) That instead of using primary evidence, Chamisa opted for secondary evidence which did not convince the court of the alleged concerns. The lawyers could have used information in the ballot boxes, which could have necessitated a recounting but chose not to exercise that option.
- (iii) That the applicant failed to put a clear, direct and sufficient evidence to convince the court of the case of malpractice in the manner the elections were held by ZEC.

Citing Section 93 (4) of the Constitution of Zimbabwe, the Constitutional Court dismissed Chamisa's petition with costs and upheld ZEC's presidential results which declared Emmerson Dambudzo Mnangagwa of Zanu PF the winner of the 2018 Presidential Elections. Chamisa refused to accept the ruling and maintained that he had won the Presidential elections and that justice was not served. In a press statement, Chamisa said that there are other avenues his party could use such as peaceful demonstrations to show their discontent.

President Mnangagwa on the other hand called for peace, love and unity among Zimbabweans and extended the same to Chamisa mentioning that his door was open and that his hand was stretched to accommodate him. He further reiterated his commitment to institute a commission of inquiry into the shooting incident which caused the death of six people on the 1st of August 2018. Subsequently, the said commission of enquiry was set up on 29 August 2018. Members of the Commission are: Former President of South Africa, Kgalema Motlante; Rodney Dixon from the United Kingdom; Former Secretary General of the Commonwealth, Chief Emeka Anyaoku; Former Chief of Defence Forces of Tanzania, General Davis Mwamunyange; Professor Lovemore Madhuku, Faculty of Law, University of Zimbabwe; Professor Charity Manyeruke, Faculty of Political Science, University of Zimbabwe and Vimbai Nyemba, Former President of the Law Society of Zimbabwe.

President Mnangagwa was sworn in on 25 August 2018 at the National Sports Stadium in Harare. The event was witnessed by regional heads of state such as Cyril Ramaposa of South Africa, Edgar Lungu of Zambia, Mokgweetsi Masisi of Botswana, Joseph Kabila of DRC, Paul Kagame of Rwanda who is also the chairperson of the African Union among other local and regional dignitaries.

c) Results

Within 5 days the ZEC had announced results, both national assembly and presidential results. The tables below show the Official results of the National Assembly and Senate results:

Table 5: Summary of Participation by province, Gender and Political Parties National Assembly (Direct Election) Distribution by province, Sex and Political Parties

SER	PROVINCE	No. of CONSTITUENCIES	SEX		POLITICAL PARTIES			
			MALE	FEMALE	INDEPENDENT	MDC-ALLIANCE	NATIONAL PATRIOTIC	
1	Bulawayo	12	9	3	0	11	0	1
2	Harare	29	24	5	0	28	0	1
3	Manicaland	26	23	3	0	7	0	19
4	Mashonaland Central	18	18	0	0	0	0	18
5	Mashonaland East	23	19	4	0	2	0	21
6	Mashonaland West	22	19	3	1	3	0	18
7	Masvingo	26	24	2	0	1	0	25
8	Matabeleland North	13	10	3	0	5	0	8
9	Matabeleland South	13	12	1	0	1	0	12
10	Midlands	28	27	1	0	5	1	22
	Total	210	185	25	1	63	1	145

Table 6: Proportional Representation Women's Quota 2018 Harmonised Elections

By Province And Political Party

SER	PROVINCE	No. OF SEATS	POLITICAL PARTIES No. OF SEATS			TOTAL
			MDC-ALLIANCE	MDC-T	ZANU PF	
1	Bulawayo	6	3	1	2	6
2	Harare	6	4	0	2	6
3	Manicaland	6	3	0	3	6
4	Mashonaland Central	6	1	0	5	6
5	Mashonaland East	6	2	0	4	6
6	Mashonaland West	6	2	0	4	6
7	Masvingo	6	2	0	4	6
8	Matabeleland North	6	3	0	3	6
9	Matabeleland South	6	2	0	4	6
10	Midlands	6	2	0	4	6
	Total	60	24	1	35	60

Source: Zimbabwe Electoral Commission

Table 7: Senate Results for the 2018 Harmonised Elections by Province, Gender and Political Parties

SER	PROVINCE	Seats	SEX		POLITICAL PARTIES SEATS			TOTAL
			FEMALE	MALE	MDC-ALLIANCE	MDC-T	ZANU PF	
1	Bulawayo	6	4	2	3	1	2	6
2	Harare	6	3	3	4	0	2	6
3	Manicaland	6	4	2	3	0	3	6
4	Mashonaland Central	6	4	2	1	0	5	6
5	Mashonaland East	6	3	3	2	0	4	6
6	Mashonaland West	6	3	3	2	0	4	6
7	Masvingo	6	3	3	2	0	4	6
8	Matabeleland North	6	4	2	3	0	3	6
9	Matabeleland South	6	3	3	2	0	4	6
10	Midlands	6	3	3	2	0	4	6
	Total	60	34	26	24	1	35	60

Source: Zimbabwe Electoral Commission

Table 8: Persons with Disabilities

	Seats	Male	Female	MDC Alliance	MDC-T	ZANU-PF	Total
PERSONS WITH DISABILITIES	2	1	1	0	0	0	2

Source: Zimbabwe Electoral Commission

Table 9: Distribution of National Assembly Constituencies by Political Parties

Party/ Candidate	Number of seats
Independent	1
MDC-Alliance	63
National Patriotic Front (NPF)	1
ZANU PF	145
Total	210

Source: Zimbabwe Electoral Commission

Table 10: Women's Quota

Party	Number of Seats
MDC-Alliance	24
MDC-T	1
ZANU PF	35
Total	60

Source: Zimbabwe Electoral Commission

Table 11: Summary Senate

Seats occupied by females in the Senate	35
Seats occupied by males in the Senate	45

Source: Zimbabwe Electoral Commission

Table 12: Distribution of Political Parties in Senate

MDC-Alliance	24
MDC-T	1
ZANU PF	35
Total	60

Source: Zimbabwe Electoral Commission

Senators to represent PWDs	2
Chiefs	18
Grand Total	80

Source: Zimbabwe Electoral Commission

8. Conclusions and Recommendations

The Zimbabwe 2018 harmonised elections were conducted in a generally peaceful political environment. Improvements were made to the administration of the elections, voter education efforts were more collaborative, and campaigns and rallies were generally peaceful. However the Mission noted issues of concern with the quality and availability of the voters roll, the Media, participation of women, assisted voters, inclusiveness of the process, and results management system. The Observer Mission recommends that:

Voter registration

The ZEC should consider targeted voter registration drives for young people and those residing in the urban areas. Even though more youth registered compared to 2013, their registration rate is low compared to the older age categories.

Media

The ZEC should enhance mechanisms for monitoring the media and its reports or updates should be publicised. The public broadcaster should ensure fair and balanced coverage of all contestants, as well as the different geographical regions in the country. The media should desist from perpetuating hate speech and fake news.

Voters Roll

The ZEC should avail the voters roll to stakeholders in time to enhance transparency. The Electoral Laws should be amended to include specific timelines when the voters roll ought to be made available to stakeholders. Independent external audits should be commissioned by the ZEC to assess the quality of the voters roll, these will go a long way in building public confidence.

Assisted voters

Whilst the law is clear as to whom can be a confidante for an assisted voter, the rules need to be applied procedurally so as not to violate the secrecy of the vote. The ZEC Election Manual should provide adequate details on the procedure for assisted voters, so as not to compromise

the secrecy of the vote. The ZEC can also consider other measures to reduce the numbers of assisted voters, including comprehensive voter education, use of braille ballot papers for the visually impaired and more vigilance in determining who can be assisted.

Results management system

The mode of transmission of results from the polling to the national results centre should also be reviewed to speed up the release of election results to maintain credibility. The Commission should consider establishing an electronic results transmission system to promote accuracy in the results announced and transparency.

Women participation in elections

A conducive environment needs to be created to ensure participation of women. The ZEC and political parties should put in place measures to facilitate the increase in the participation of women in elections. Legally binding quotas and enforcement mechanisms should be enacted by Parliament and political parties should devote resources to women candidates to encourage their participation.

Inclusiveness

• Physically challenged

Polling stations should be located in places that are easily accessible for the physically challenged.

• Braille Ballot Papers

The ZEC should establish the number of voters' who are visually impaired and will require braille ballot papers, this will reduce the number of voters' needing assistance.

References

Zimbabwe: the death of Morgan Tsvangirai and the post-Mugabe era

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<https://www.hrw.org/news/2018/08/03/zimbabwe-least-6-dead-post-election-violence>

<http://www.thezimbabwean.co/2017/10/biometric-voter-registration-bvr-process-update-6/>

<http://www.unwomen.org/en/news/stories/2013/9/zimbabwe-women-mps-sworn-in>

Annex 1: SADC Eminent Persons Observation Mission

	Name	Position	Country
1	Dr Tomaz Salomao (Mission Leader)	Former Executive Secretary of the Southern Africa Development Community (SADC)	Mozambique
2	Ms Priscilla Mulenga Isaacs (Deputy Mission leader)	Former Chief Electoral Officer of the Electoral Commission of Zambia	Zambia
4	Father Fidelis Mukonori (Deputy Mission Leader)	Parish Priest for Chishawasha and the Executive Director of the Centre for Peace Initiatives in Africa (CPIA)	Zimbabwe
5	Prof. Annie Barbara Chikwanha	Associate Professor with the Department of Politics and International Relations at the University of Johannesburg	South Africa
6	Mr. Emmanuel Ndlangamandla	Executive Director of the Coordinating Assembly of NGOs (CANGO)	Swaziland
7	Ms Fatima Swartz	Chairperson on the board of the NGO 'Action for Conflict Transformation' and a board member of the Mitchell's Plain Educational Forum	South Africa
8	Ms Fay King Chung	Educational planner and Minister of Education in Zimbabwe	Zimbabwe
9	Raphael Mulle Musau	National Coordinator of the Election Observation Group in Kenya (ELOG).	Kenya
10	Mrs Nyaradzayi Gumbonzvanda	Chief Executive of Rozaria Memorial Trust	Zimbabwe
11	Mr Oscar Siwali	Director of SADRA Conflict Transformation (Southern African Development and Reconstruction Agency)	South Africa
12	Bishop Bhekithemba Madodenzani Buthelezi	Former Assistant Election Manager at KZNCC	South Africa
13	Ms Pauline Dempers	Actively involved in election monitoring and observation at national and international level	Namibia
14	Reverend Dr Solmon Zwana	Presiding Bishop of the Methodist Church in Zimbabwe and Vice President of the Zimbabwe Council of Churches	Zimbabwe
15	Dr Shingi Munyeza	President of the Evangelical Fellowship of Zimbabwe	Zimbabwe
16	Reverend Dr Levee Kadenge	Bishop Emeritus of the Methodist Church in Zimbabwe	Zimbabwe
17	Ms. Tintswalo Annah Makhubele	Former Chairperson of the Pretoria Bar	South Africa
18	Mr Steven Duwa Phiri	Chairperson of the Malawi Electoral Support Network (MESN)	Malawi
19	Bishop Paul Verryn	Minister of the Methodist Church of Southern Africa	South Africa

20	Bishop Rubin Phillip	Bishop Emeritus of the Anglican Church of Natal in Kwa Zulu-Natal	South Africa
21	Reverend Dr Sebastian Bakare	Retired Anglican Bishop of the Diocese of Harare and the former Bishop of Manicaland	Zimbabwe
22	Ms. Ann Nderitu	Head of Electoral Training at the Independent Electoral and Boundaries Commission (IEBC), Kenya	Kenya
23	Dr Hafidh Mohamed Khalfan	Senior Research Fellow with the Dar es Salaam based Economic and Social Research Foundation (ESRF)	Tanzania
24	Rev Machakaire	Long Term Observer- Zimbabwe Election Support Network (ZESN)	Zimbabwe

Annex 2: Arrival Press Statement



Arrival Statement of the Eminent Persons Observer Mission

26 July 2018 – Harare - The Eminent Persons Observer Mission under the Election Support Network of Southern Africa (ESN-Southern Africa) hereby announces its arrival in Zimbabwe to observe the July 30th 2018 harmonized elections. The Mission is headed by the former Secretary General of SADC Dr. Tomaz Salamao, from Mozambique. The mission is comprised of 23 Eminent Persons from the Southern African region.

Members of the observer mission include Ms. Priscilla Isaacs, former Chief Executive Officer of the Zambia Election Commission and Fr Fidelis Mukonori of Zimbabwe. The mission will deploy the observers to observe the last phases of the pre-election, the election and the post-election period in nine provinces of Zimbabwe from the 25th of July to 1 August 2018.

The ESN-Southern Africa is a regional network of fifteen non-governmental organisations working in the area of elections in the South African Development Community region through networking with domestic observer groups. It aims at building the capacity of individual members and establishing regional best practices through mutual reinforcement and dialogue.

The Mission is guided by International Standards Governing Elections; the African Charter on Democracy, Elections and Governance; SADC Principles on Democratic Elections; and Principles of Election Management, Monitoring and Observation in the SADC region (PEMMO).

In addition, the Mission is guided by principles of freeness, fairness, credibility and integrity. During our stay in the country, the Mission will meet all relevant stakeholders in order to obtain a balanced view of the political environment, electoral processes, electoral preparedness and the elections.

The Mission will take a view whether the elections have been conducted in accordance with international and regional norms and standards to which Zimbabwe has committed itself, including its own laws.

The Mission will meet wide ranging of stakeholders, including the Zimbabwe Electoral Commission (ZEC); other local, regional and international observer missions; civil society organisations; political parties; women and youth groups, and other relevant stakeholders.

For more information on the mission, please contact us on

10 Rochester Crescent Belgravia, Harare

791443/ 791803

Email: zesn2011@zesn.net

Annex 3: Pre-election Statement of the Eminent Persons Observer Mission to Zimbabwe



29 July 2018 – Harare -The Election Support Network of Southern Africa (ESN-Southern Africa) Observer Mission calls upon the people of Zimbabwe to remain calm and peaceful as they go to the polls on 30 July, 2018.

The Mission observed the last stages of the pre-election environment and noted that there is an improvement in the general political election environment as compared to previous electoral cycles. Our hope is that political parties and the electorate will maintain this calm during voting and after results are announced.," said Dr Tomaz Salamao, Head of the SADC eminent Persons Observer Mission.

The Mission will issue a preliminary statement after the close of polls.

**For more information on the mission, please contact us on
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Annex 4: Preliminary Statement of the Harmonised Election



Preliminary Statement of the Election Support Network of Southern Africa

Harare – 1st August 2018- The Election Support Network of Southern Africa (ESN-SA) Observer Mission expresses gratitude to the Republic of Zimbabwe, International Observers and all the election stakeholders for the support rendered during the observation of the 2018 harmonised election held on 30 July.

The hospitality of the Zimbabwean people is most appreciated and the Mission commends the people of Zimbabwe for ensuring generally peaceful electoral campaigns as well as for voting in peace.

However, the ESN-Southern Africa notes with great sadness the death of three people following the violence that ensued on Wednesday, 1st August 2018 and strongly appeals to political candidates, party supporters and the Zimbabwe populace to safeguard the peace that has prevailed up until the sad occurrence of violence.

The Mission urges all Zimbabweans to remain calm and patiently wait for all the official election results from ZEC, who are also urged to liaise closely with political parties as the election results are verified and released to minimize anxiety and suspicion pending the final declaration of the results.

Political parties with electoral challenges and grievances should follow the procedure for petitions as provided for in the Electoral Act. We urge political parties to ensure that their supporters remain calm and maintain peace during this period of announcement of results. ESN- Southern Africa also urges the Media to report factual news and assist in promoting a peaceful environment whilst the final election results are awaited.

As the Zimbabwe Electoral Commission (ZEC) continues to announce electoral results, we urge patience amongst political parties and the electorate.” said Dr Tomaz Salamao Head of ESN-SA Observer Mission.

The ESN-SA deployed 23 observers in all the provinces of Zimbabwe to observe the last phases of the pre-election activities, Election Day and post- election phases of the 2018 Zimbabwe Harmonised elections.

The ESN- Southern Africa Observer Mission notes the peaceful, serene and tranquil environment that has prevailed during the pre-election period and on Election Day.

The ESN-SA commends the ZEC for the orderly and professional conduct on Election Day and the Zimbabwean police for their professionalism in policing the polls. The Mission applauds the people of Zimbabwe for turning up in their numbers and for the peaceful and non-violent Election Day.

Election Day Environment

On Election Day, the ESN-SA observers visited a total of 136 polling stations in the following provinces: Harare, Bulawayo, Mashonaland East, Mashonaland Central, Mashonaland West, Masvingo, Midlands and Manicaland. The mission observed all the stages on poll day of setting up polling stations, the opening of polls, casting of the ballot, closure of the polling station and vote counting. The environment was generally calm and peaceful, in the areas the Mission observed.

The Mission congratulates the people of Zimbabwe for exercising their constitutional right to vote peacefully and commends ZEC for the efficient conduct of the election on poll day.

The separate queues for the elderly, nursing mothers, expectant mothers and persons with physical challenges are commendable. The high level of participation of women as poll staff is also appreciated.

Opening of Polling Stations

Most of the polling stations that ESN-SA Observers visited opened on time and all the essential materials for polling such as ballot papers, ballot boxes, voters' roll, ZEC stamps and voter's roll exclusion lists were available. On average, there were 6 female polling officials at every station visited with long queues witnessed outside polling stations in the morning.

Voting

The Mission notes that in the areas visited by its observers, the voting process progressed smoothly throughout the day. The ESN-Southern Africa commends the ZEC for ensuring that the voting process proceeded in an orderly manner. Generally, observers and party agents were able to perform their duties without any hindrances.

Areas of concern

The mission noted the concerns raised by stakeholders on the voter register and printing of ballot papers and encourages ZEC to engage stakeholders after the elections to address these matters to ensure that they are not an issue in future.

Areas in need of improvement are:

Allocation of polling stations

There was confusion at some polling stations as some voters had no knowledge of where they would vote from. Some voters were turned away because they joined the wrong queue and had to be redirected to their correct polling stations.

Voting Process

The voting process at some polling stations with larger voter population was slow.

The Mission noted the challenge of poor lighting at some polling stations in tents which could have compromised the vote counting process.

Also of concern was the small print on the ballot paper which should be reviewed.

Counting of results

Some polling stations delayed the start of the counting of ballots due to the amount of paper work required for the ballot paper account.

Recommendations

The ESN-Southern Africa Observer Mission recommends that:

Assisted voters

Whilst the law is clear as to whom can be a confidante for an assisted voter, the rules need to be applied procedurally so as not to violate the secrecy of the vote. The ZEC Election Manual should provide adequate details on the procedure for assisted voters. It was noted that in some cases assistance by the Presiding Officer was witnessed by a police officer and two polling staff. This number of witnesses compromised the secrecy of the vote.

Results management system

A review of the counting process is recommended and should include the reduction of the forms during the count. The mode of transmission of results from the polling to the national results center should also be reviewed to speed up the release of election results to maintain credibility.

Women participation in elections

The Mission acknowledges the great development attributed in the increased involvement of women as voters, police officers, party agents and polling officials in most polling stations. However, women participation as candidates in elections needs to be increased. The ZEC and political parties should put in place measures to increase participation of women in elections.

Biometric identification

The Mission commends ZEC for the adoption of the Biometric Voter Registration which limits the possibilities of multiple registrations. The new system by ZEC of limiting voters per polling station to 1000, and narrowing voters to being polling stationed based has contributed immensely to smooth management of the voting process. However, Biometric identification could be used in future to speed up the identification process during voting.

Party Agents

Party agents could benefit from more training on their role as some did not seem to understand what was required of them. However, the Mission expresses concern towards expressions of intimidation targeted at party agents in the rural areas as the counting process was about to commence.

Physically challenged

More polling stations should be made easily accessible for the physically challenged.

The ESN-SA urges the people of Zimbabwe to maintain peace and calm as the declaration of the final election results by the ZEC is awaited. The improvements that have been achieved in the 2018 Harmonised Elections should not be marred by violence and disunity.

For more information on the mission, please contact us on

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Annex 5: Briefing Programme

Wednesday, 25 July 2018

All Day	Arrival of Delegates (Delegates to be met by ZESN Staff) Check in at the Holiday Inn Hotel
All Day	Registration at Election Observation Desk (Holiday Inn)

Thursday, 26 July, 2018

6.30 am – 8.30 am	Breakfast Location: M Floor
9.00 am – 10.00 am	Welcome Remarks and Mission Overview Presenters: ZESN Director – Mrs Rindai Vava ZESN Chairperson – Mr Andrew Makoni Dr Tomaz Salomao - Leader of the Delegation
10.00 am - 10.15 am	Tea Break
10.15 am – 11.00am	Political Environment Presenters: Professor E. Masunungure Dr Ibbo Mandaza
11.0 am – 11.45am	Media Presenters: Patience Zirima (MAZ) Thabhani Moyo (Media Monitors) Foster Dongozi (ZUJ)
11.45 am – 12.45 pm	Technical Support to the Zimbabwe Election Commission Presenters: Victor Shale (EISA) Rep from UNDP Stephen Snook (IFES)
1.00 pm – 2.00 pm	LUNCH BREAK
2.00 pm – 3.00 pm	Civil Society Engagement Presenters: Rose Hanzi (Zimbabwe Lawyers for Human Rights) Blessing Gorejena (NGO Forum) Jestina Mukoko (Zimbabwe Peace Project) ZESN Staff

3.00 pm – 3.15 pm

3.15 pm – 3.45 pm

3.45 pm – 4.45 pm

5.00 pm

Friday, 27 July, 2018

9.00 am – 10.00 am

10.00 am – 10.15 am

10.15 am – 10.45 am

10.45 am – 11.30 am

Presenters:

11.30 am – 1.00 pm

1.00 pm – 2.00 pm

2.00 pm – 3.00 pm

3.00 pm – 3.15 pm

3.15 pm – 5.00 pm

5.00pm – 5.15 pm

TEA BREAK

Inclusiveness

Presenters: Tsarai Mungoni (NASCHO)

Rosewita Katsande (YETT) Sally Dura (Women's Coalition)

Religious Intervention

Presenters: Dr Kenneth Mtata (Zimbabwe Council of Churches)

Blessing Makwara (Evangelical Fellowship)

Fr Fredrick Chirova (Zimbabwe Catholic Bishops)

End of day Program

Political environment and state of preparedness

Presenters: Rep of Zanu PF

Rep of MDC Alliance

Rep of Rainbow Coalition

Rep of MDC T

Rep of NPF

Tea Break

Zimbabwe Election Commission's State of Preparedness

Presenters: ZEC Representatives

Security and the state of preparedness

Charity Charamba (Senior Assistant

Police Commissioner)

Deployment, Logistics and Material distribution

Presenters: ZESN Staff

Lunch Break

Check Lists and reporting

Presenters: ZESN Staff

Tea Break

Regional Briefings

Presenters: ZESN LTOs

Group Photo

End of Day Program

Saturday, 28 July, 2018

6.30 am – 8.00 am

Breakfast

8.30 am -

Departure to respective regions

6.00 pm

Check In

Sunday, 29 July, 2018

Stakeholder Meetings and Mapping of Polling Station

Check in times

09.00 am and 6.00 pm

Monday, 30 July, 2018**Election Day Observation**

1. Observers must be at the polling station 30 minutes before the opening of polls
2. First report to be sent at 9.00am; Second report at 12 noon; Third at closing time and the Fourth and last report when counting at the polling station is finished.

Tuesday, 31 July, 2018

Teams return to Harare for debriefing and issuing of a press statement

Wednesday 1 August, 2018

Departures

Annex 6: Photo Gallery



ZESN National Director Briefing the ESN-SA Observer Mission



Post-election day de-briefing session



Briefing from the Zimbabwe Republic Police



Briefing from representatives of the MDC Alliance

Annex 6: Photo Gallery (contd)



Press Conference: Arrival Statement of the Eminent Persons Observer Mission; Mission Leader Dr. Salamao Tomaz (Middle); left Priscilla Isaacs and right Father Mukonori



Snapshot of those who attended the Eminent Persons Observer Mission Press Conference on their Arrival Statement



Dr Victor Shale (Middle) of the Electoral Institute for Sustainable Democracy in Africa; briefing the Eminent Persons Observer Mission on their role in supporting the ZEC



Simba Makoni of the Coalition of Democrats and Linda Masarira of MDC T briefing the Eminent Persons Observer Mission

Annex 6: Photo Gallery (contd)



Jestina Mukoko of the Zimbabwe Peace Project (ZPP) and Roselyn Hanzi of Zimbabwe Lawyers for Human Rights (ZLHR); CSOs session on the Pre-election Environment and Processes



Prof. Annie Barbara Chikwanha, Dr. Tomaz Salamao, Ms Tinswalo Annah Makhubele, Ms Fatima Swartz and Bishop Paul Verryin, part of the Eminent Persons Observer Mission Delegation



Political Analyst Dr. Ibbo Mandaza (Middle) speaking on the Political Environment



Bishop Bhekithemba M. Buthelezi and Bishop Rubin Phillip of the Eminent Persons Observer Mission



ZESN Chairperson, Mr Andrew Makoni (Middle) briefing Eminent Persons Observer Mission Delegation

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