

COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA



Official Preliminary Statement by the COMESA Electoral Observer Mission on the 2008 Presidential Elections for the Republic of Zambia held on 30th October, 2008.

Background

Following the launch and deployment of an Electoral Observer Mission to the 2008 Presidential Elections for the Republic of Zambia on Monday, 27th October, 2008, the Common Market for Eastern and Southern Africa (COMESA) would like to issue a Preliminary Statement on the preliminary findings of its mission. Its preliminary findings cover the Pre–Election Period and the Polling Day.

The Republic of Zambia and other COMESA Member States made commitments under Article 6 of the COMESA Treaty; to promote Democracy and the rule of law within the COMESA Region. The COMESA Integration Agenda is also based on the belief that the consolidation of democracy and the rule of law are the foundation stones for successful attainment of regional socio-economic development and political stability.

Composition of the Mission

The Mission was composed of 20 eminent women and men from seven COMESA Member States, namely: Democratic Republic of the Congo (DRC), Arab Republic of Egypt, Libya, Kenya, Malawi, Sudan, Zimbabwe and the COMESA Secretariat with Observers covering Germany, Ethiopia, St. Lucia and Uganda ; A full list of the Observers is attached to this statement as Annex 1.

Deployment

The Mission was deployed in five (5) provinces of the country namely:

- (a) Lusaka
- (b) Central
- (c) Copperbelt
- (d) Eastern
- (e) Southern

Methodology

In line with the Universal Declaration of Principles of Democratic Elections which was adopted by the COMESA Authority, the Mission discharged its mandate within the electoral legal framework of the Republic of Zambia. The Mission used a random sampling, selecting polling stations visited by observers, as well as statistical methodology for aggregation of observation of polling stations. The

Observer Mission also communicated and held team debriefings throughout the observation period to enable the compilation of this preliminary statement

Meetings with Stakeholders

The Observers held meetings with a cross section of stakeholders in the electoral process such as political parties, civil society organizations, as well as with cooperating partners such as the African Union, the Southern African Development Community (SADC), the European Union, the Diplomatic Community Observers, and other international and national observers.

The Observers also held meetings with the Electoral Commission of Zambia (ECZ) and attended briefings held by the Commission with a view to getting updates on the preparedness of the Commission to manage the 2008 Presidential elections.

General Observations

The Mission observed that the 2008 Presidential Election of the Republic of Zambia has been held in a generally peaceful environment.

Pre Election Day

Political Campaign

The Meeting noted that political campaign rallies of the candidates and other related activities in the electoral process were held in a peaceful environment. The Mission also noted with admiration the way the people of Zambia belonging to different political parties conducted themselves in a peaceful manner in the last hours of the Campaign Period when they mingled easily in the streets to get their messages across to supporters and voters in general, hence taking responsibility to keep peace and harmony, a fundamental pre-requisite for democratic elections.

The meeting however noted with concern the impartial coverage of some media outlets on the electoral process.

Evaluation of the Polling Day

Voter Turnout

The Mission noted that voter turnout in most parts of the country was generally lower than expected and in some cases it was as low as 30% of the registered voters.

The Mission also noted that in some isolated cases, voters who had voter's cards but no national registration cards were not able to cast their vote even if they had some proper identification documents such as passports or driving licenses.

Voting Process

(a) Observation of the Opening of Polling Stations

The Mission observed that most polling stations opened on time and pre-sealing of ballot boxes started at 6:00 am. This was conducted in the presence of political party agents, monitors and observers, which rendered the process transparent. The Mission further observed that correct procedures on the opening of the polling stations were adhered to.

(b) Observation of Polling Operations

With regard to polling operations, the Mission noted the following:

- (i) Polling stations allowed easy access to voters, observers and party agents and, guaranteed secrecy of the vote.
- (ii) The Mission did not observe any form of intimidation of voters inside or outside the polling stations;
- (iii) Law and order was observed in all polling centers visited. The presence of security personnel was limited to keeping of law and order without interfering in the polling process;
- (iv) Voting procedures such as checking the voters national identity cards, voters cards and the application of indelible ink on a voter's finger was adhered to strictly;
- (v) Observers and agents of political parties were allowed to witness the process without any restrictions;
- (vi) Party agents were in possession of the list of registered voters, which we feel is a good practice and they were also given an opportunity to have a say on the eligibility of a voter to cast his/her vote which contributed to the transparency of the voting process, something worth emulating in other COMESA countries as a best practice;
- (vii) Except in very few cases, most voters had good understanding of voting procedures and those who needed assistance were facilitated in a courteous manner by polling staff.

(c) Observation of Closing and Counting Operations

- (a) The Mission also observed closing and counting operations at a number of polling stations and noted the following among other issues: Electoral Officials had good knowledge of rules of procedure on counting and closing operations, hence ensuring enhanced transparency.
- (b) Party agents and observers were allowed to monitor and observe the closing, counting and result data entry procedures;

Capacity of Polling Staff

The Mission observed that overall; polling station staff displayed good knowledge of the electoral procedures and handled procedural requirements in a professional manner.

Participation of Women

The Mission noted that women as electoral officials were sufficiently represented, on an average of 60%. In some polling stations electoral commission were 100% women.

Overall Assessment

Before the Mission makes its preliminary assessment of the Electoral Process, it would like to underscore the following:

- (a) the objective of the observation was not to observe “perfection” or a model process;
- (b) genuine democratic elections are an expression of sovereignty, which in this case belong to the people of Zambia, whose free expression of will provides the authority and legitimacy of government;

Looking at the country as a whole, on the basis of our methodology of observation and taking into consideration the foregoing submissions, the Mission has come to the conclusion that the 2008 Presidential Elections for the Republic of Zambia took place in a general environment of peace and tranquility, which is the hallmark of Zambia as a beacon of peace in the region. The Mission did not witness any occurrences or irregularities that could have compromised or undermined the integrity of the votes cast. In short, the process took place in an environment, which was transparent and secure enough to guarantee the freedom of the vote and respect the will of the voters, the people of Zambia who voted.

We would however wish to emphasize that this assessment doesn't include the post election activities, which we are still observing.

Conclusion

The COMESA Electoral Observer Mission would like to underscore the fact that the 2008 Presidential Election for the Republic of Zambia is still on-going as a process and would like to call upon the people of Zambia to maintain peace and security as the Electoral Commission of Zambia(ECZ) prepares for the announcement of the final results. We call upon the people of Zambia to preserve their leadership position in the region as a peacemaker and to address any grievances related to the electoral process through legal channels as we underscore the following:

- (a) The electoral legal framework of the Republic of Zambia provides for redress of electoral grievances such as irregularities identified by all political parties, candidates and other stakeholders;
- (b) The justice system of the country has the capacity to address grievances that go beyond the capacity of the Electoral Commission

Knowing that democracy is a process and not an event, the Mission would also like to call on the peoples of the Republic of Zambia, the COMESA Region and cooperating partners to continue working together to consolidate the democratic system of governance that the Republic of Zambia is committed to under its own constitution as well as the COMESA Treaty and other regional and international instruments.

Lastly, the Mission would like to congratulate the people of Zambia for turning up to express their will through the ballot box. We also commend the Electoral Commission of Zambia for the able and professional manner in which it handled the mammoth national task of organizing a successful national election in such a short time. We also wish to express our gratitude to the people of Zambia for the warm welcome which is being extended to the Mission in all parts of the country as we observe the electoral process. The Mission shall prepare a detailed report of its observations after the electoral process is over which shall be submitted to the people of Zambia through the ECZ.

Finally, the Mission would like to express its appreciation to all COMESA Member States for showing solidarity with the people of the Republic of Zambia in reaffirming their commitment to democratic system of governance. God bless Zambia, God Bless COMESA and the entire African Continent!

Ambassador Johnson Baelongandi Wa Binana
Mission Leader – COMESA