

“WHAT NEEDS TO BE IN PLACE FOR ELECTIONS IN 2023 TO PASS THE AUDIT OF ACCEPTABILITY?”

I was coming from, from my physio, yeah, I'm doing physiotherapy. Sorry. Sorry about that. Yeah, thank you. Okay. Okay, good. Uh, Susan Cow as well. We haven't heard of speak yet, but hopefully we'll definitely know. Susan, if you can hear us, please can you just log in to see by saying hi or something. Hello, how are you? This is Susan. Susan, how are you? I'm fine. How are you? We know you. Oh, to live with Tony, your your voice, the voice, something go wrong there, Tony. Tony. Yeah? Your voice is a bit remote. Okay. I'll up it up.

Mika, can you assist that? You can start the music now. Okay. I'll laugh it up.

with diaspora And a special welcome to guest speaker, Daniel. Susan Mwape, and Ellen And before I introduce eh our moderator and partner in this venture. Just to introduce briefly this series which is look at elections As. as a process. is the the objectives of this series are threefold. The first is to highlight thereby the serious shortfalls and pitfalls. In the lateral landscape in Zimbabwe. which also explains fact that all the elections since 2000 in particular have been disputed

once. Disputed outcomes.
Violent in most cases.
completely useless in terms of
determining the democratic
process. Secondly, is to hope
to institute thereby a process
of reform. in that the stations
themselves generally. We will
seek to highlight those
shortfalls and footfalls. And
suggest how this can be
resolved. And thirdly as a
title of this topic indicates
we should be able a year six
months to a year from now.
Perhaps by June next year, a
year before the elections are
due in 2023. to be an audit.
and and conclude thereby
whether indeed the elections
are worthwhile in 20 twenty
three or complete waste of
time. I repeat of the same that
we have had. In the previous
elections. So that much I do
I'd like to introduce Tony
Rila. co-convener of our the
platform for consent citizens
But also the senior researcher
in Iraq. And a partner in this
particular venture we were
looking at electoral processes
as a value. Tony Rila. Thank
you Evo. Uh and good evening
everybody. Um As Ebo says, this
is the beginning of a series of
Tony. Tony we can't hear you.
Tony. Yeah, okay, I seem to
have unmuted myself, sorry. If
you didn't hear me, greetings
to everybody. Greetings to our
guests and thank you Eva. Uh
Ziba points out, this is the
beginning of a series of at

least 10 webinars Uh where we're going to discuss elections in Zimbabwe and the conditions for elections because those conditions are propitious for the holding elections in 20 twenty-three. Um and before I introduce our distinguished panel, I'd like to make a few remarks, I may to frame this Uh I think we don't often realise in the modern age that one of the things about elections is that they are one of the most important concepts reducing mechanisms that humans have ever invented. For sorting out the power problems. Uh to look at human history most of the issues around power are generally resolved violently. What has been the characteristic of the modern age and the great invention in my view of human society has been that elections become the mechanism for what is peaceful regime change. And and I want to use that word regime advisably because that word is used in a very pejorative way in Zimbabwe Uh. as if a change of regime is something alarming and treasonous. Regimes change all the time. And the mechanism for doing that are elections. That being said, elections have become a very difficult test for democracy Uh in the wake of the euphoria after ninety-nine, ninety 90, and the notion that the third wave of democracy was happening. It took not very long before people realize that

elections were a fungible property in democracy Uh. Steven Levitzky and Lucy and Wade termed use the term competitive democracy competitive, authoritarianism, authoritarians. The notion that elections were used by authoritarian governments as a mechanism for creating minimal legitimacy I. personally prefer the term that Thomas Torothers produced which was to talk about dominant power politics. Um both of these all of these authors in early two thousands began to post the notion that this wave of democracy was under threat because people were learning that elections not necessarily the litmus test of democracy. Nonetheless, elections are to some extent a very important test of legitimacy. And so regimes that win elections when their competitors exceed to the result. They say you have one legitimacy. Those governments get legitimacy. Elections the government gets legitimacy It's. not the only test of legitimacy There. are many other things that go with legitimacy. The delivery of public goods and services. The political trust that exists in the country. But elections become a primary source of legitimacy. And not just legality but legitimacy. Now Zimbabwe and Zimbabwe has pointed out has has really attained this important measure

of legitimacy All elections since 2000 have led to disputes. And that have then led to disputes about legitimacy And. not only internally they've led to disputes externally. Uh it they led to disputes in 2002 with the Commonwealth, the EU and the US. Uh and all the way in all of these elections probably about nine of them now. There have disputes about the result. So that's very very important to see how important elections are. Uh the consequence for Zimbabwe and why elections become so important is in Zimbabwe is now the most politically polarised country in Africa. Um a very nice piece of research done by Michael Bratton and Elder Ngure in the aftermath of the 2002 and 2008 election. Using very nice measure of what they call the partisan gap. And Zimbabwe the most polarised country after Uganda and after that, the polarization between many countries was relatively low. So, we have this massive problem about polarization. And this polarisation is poisonous in countries. It leads often to what a a recent very interesting book by Levitsky and Ziblack points out becomes the absence of neutral toleration and institutional forbearance. And what they mean by that is the of friendly games that politics play. The

the political parties play disappear. And so elections become a vicious context and a battle. And you this is very important. It's very destructive in democracy when elections become this kind of a process. So in going forward we use this very challenging notion of an audit of acceptability. and the acceptability is is the important bit. That goes to the heart of legitimacy So. what do we mean by an audit? Now, in conventional terms and audits and we all know about audits, is that whatever the process is, was done correctly. Every step along the way, every rule was behaved and therefore, you can go from the beginning to the end and say that everything is corrected in its place and I'm hoping that Daniel will talk to this in some detail The example we have in Zimbabwe for, example, you know, the audits carried out by the auditor general and and controller of the spending of the government And the demonstration was the the money spent for what it was intended. And most importantly, is there any proof of this? And we've seen from recent reports for example, that many ministries in the country are unable to provide the receipts, receipts and the justification for how the money is spent. But it doesn't apply to accounts and those things, it means in

elections that every stage can be shown transparency to have followed the rules. not just that you followed the rules, we go back to competitive authoritarianism or dominant power politics It's not just following the rules as if they are some ritual. They need to show the big problem about political power change. Is that it's absolutely free of dispute. That every step is not disputed. And that requires complete transparency, transparency to avoid any claims of manip and that everyone must be satisfied that every step of the process is transparent. So for example, a very simple one is when you construct a voter's role and you have the voters role, is everybody allowed to go and look at the voters role and examine it, understand it, and see that the voters role fits the bill. That everyone on there is a of people are on there. That they look like they distributed across the provinces. You know, in a way that accords with delimitation. And you can see how that's important because in Daniel's country in their recent election the ex president makes outrageous claims about fraud along the way. An absolutely one of every one of those claims was shown to be utterly basis. And the for that was that audits could be shown that every single stage of that

election was free of manipulation. And so what we beginning in this process for the next five or six months is to begin to discuss in a way in which an audit will show that every single step of the election From the limitation to the announcing of the results To the result resolution of disputes before and during and after the election, everything shows that nobody can have any complaint that the election was not bonafide day and abeg the rules and is fair to the satisfaction of everyone else. So, that's the framework. Uh this is an opening session. Uh we bought Daniel here to to give us the benefit of his wisdom. He He is a a very important expert for us to open this session. Currently Daniel is the managing director of the Open Society University Network at Bard College. And being for global programmes of college. But he has worked on democracy and elections for over 20 years. And in that process what served as the executive vice president of Freedom House. And we in Zimbabwe look at Freedom House and its measures are political and civic freedoms with a very very jaundice eye at the absence of those things. He has been, he is an academic, he's taught at Georgetown University, John Hopkins, the Americans University, and is

extremely well qualified to discuss this. Donald has also written very important papers published in the journal of democracy on the issues that allow you to decide that an election is bonafide. Uh Freedom Fair, and absence of any kind of electoral manipulation. Daniel, welcome and thank you so much for joining us and I'll hand it over to you.

Thank you, Tony for that introduction and thank you Ibo for the invitation. I very much appreciate the the opportunity to talk to you about the Challenges of ensuring a democratic election Uh and as as Tony intimated since I was at Freedom House and Freedom House at the time was quite active in Zimbabwe Um. I had the opportunity to to visit a few times and I haven't followed developments closely but certainly welcome the opportunity to reengage and I very much appreciate what all of you are doing which is preparing well, well in advance of an election. Um if I might share my screen, Ebo is there. Is that working? It is. Yes, it's it should allow you to share your screen just. There we go. Okay, can you see it? Yes, we can see it. Great. Uh so, I will start with the fundamentals which I think is a good grounding which is just a reminder that elections first, and foremost, are a

political context to decide or
contest to decide who will
govern the country going
forward. And as Tony rightfully
emphasized, it is a way of
conferring legitimacy on the
country's rulers and it is
conferring legitimacy
domestically so that the
country's population see the
rulers as legitimate and it's
also conferring legitimacy
internationally. Uh so, it's a
way of earning the recognition
and the acceptance of
neighboring countries and
regional powers I would
emphasize that so for those who
know the the Freedom House
ratings, all countries are
ranked on political rights and
civil liberties into three
categories. Free, partly free,
and not free. And I find it
interesting that all partly
free countries hold elections
and most of the countries that
are not free hold elections
And. to me that says quite a
lot about how much rulers want
the legitimacy that elections
can give Um so typically an
authoritarian government that
runs elections wants to make
sure that it wins and at the
same time, do it in a way that
isn't so obviously manipulated
that it loses the legitimacy
that it's trying to gain
through elections.
a few overall comments on
election rigging and this is
based as Tony said on studies
I've done comparing fraudulent

elections all around the world. Uh it is actually quite common to see election rigging in undemocratic countries. But it can happen everywhere, and elections are really quite a complex process with a series of steps and every stage of that election process can be rigged. And some methods of fraud and manipulation are pretty blunt. I mean we've seen places where armed groups literally go into polling stations and take the ballot boxes. But more and more the methods of manipulation are sophisticated. And they are not as easy to identify and not as obvious. But with pretty much any method of election rigging, there are also ways to detect it and by documenting violations, you aim to deter election rigging.

I have a series of slides that go through the different stages of the electoral process and the ways that they can be manipulated. I will go through these fairly quickly because we can talk about any one of these in the the question and answer session. Um and there's a lot of detail here. I can also share my presentation afterwards if anyone is interested. Uh but the key point to remember is that every stage of the electoral process can be subject to manipulation or rigging. So, the voter registration phase, there's the risk of phantom voters. So, in

essence, voters who don't exist or in essence, trying to double count, typically supporters of the incumbent regime. There's the flip side which is omission of eligible voters and typically, this is done by an authoritarian regime to exclude voters that are expected to vote for the opposition. And a variant of that is raising barriers to certain groups again that are expected to vote for the opposition. Uh we've seen places for instance where registration of first time voters is just way more cumbersome than it needs to be and clearly that is a deliberate effort to exclude new voters. during the election campaign. Uh all sorts of things happen. Um sometimes candidates are even prevented from registering as candidates. You know, usually on some flimsy bureaucratic pretext. Um often rallies need permits and those will be denied or delayed. Um There can be pressure on voters who rely on the state for their livelihoods So, for instance, countries where there are state-owned enterprises or think even, you know, hospitals or schools where the employees are civil servants that the head of the hospital, the the headmaster, the school, will tell people, you need to vote this way or something might happen to your job. We've seen intimidation against candidates and act

activists, sometimes violent attacks Uh during the campaign, there's also the issue that in principle, state resources should not be used for electoral campaigns. but often they are. So, state vehicles are used to drive candidates who happen often happen to be members of the incumbent government to campaign rallies or they use public spaces for the governing parties rallies. a key effort to manipulate elections is in dominating or controlling the election commission. And this is something I strongly emphasize. Um If the ruling party can dominate or control the election commission, it can prevent the kind of transparency that you talked about earlier and that opposition parties are looking for an independent observer s need to do an audit or otherwise observe the electoral process. The ruling party dominance of election commissions also blocks the enforcement of election laws and regulations. So, often there are dis during even during the electoral campaign. So, for instance, let's say, the opposition party wants to organize a rally Um it was, they're prevented from doing so. They raise a complaint to

the election commission.
unless the election commission responds and responds quickly in effect, it is allowing the authorities or the ruling party to compete unfairly in the elections And. then the last reason why the election commission is key to a democratic election is that large scale fraud pretty much requires support or involvement or at least test it approval from the election commission. In other words, if a ruling party is aiming to conduct fraud on a large scale, it has to be organized. It's something that in an independently moderated election process, it could be identified and stopped very quickly. and then, of course, there are issues on access to media, whether it's pressure on independent media, or on public media, if the coverage is very imbalanced, that can influence the election campaign. On election day, of course, there can be the the theft of of ballots or ballot stuffing, in some cases, we've seen multiple voting, vote buying, other pressure on voters, and in some systems you have sort of roving ballot boxes that go to the homes of people who cannot make it to the polling station on their own and that of course adds an added risk of manipulation. Uh the vote count and tabulation obviously are critical within the polling

station in verifying ballots.
Um if there done by hand, you know, they can be adjudicated in a way that is unfair. Um but the bigger risk is in the recording of vote counts and the tabulation. Um so, if there are any discrepancies between results at the polling station level to what is reported in sort of regional tallies or a national tally And a transparent votabulation should have a breakdown polling station by po station. Um and I gather that has not been the case in Zimbabwe and that is often a way that transparency is prevented and behind the the the curtain manipulation can take place.
some general observations.
to
ensure a democratic election the entire election process needs to be transparent. Um so, as an example, the results at the polling station level should be publicly available citizens, should be allowed to share that information as soon as it becomes available and ideally, there would be official copies of the polling station results in the hands of independent election observers and all of the main parties. as mentioned before, the role of the election commission is critical and thus having opposition representatives or truly independent commissioners is key to ensuring that it's transparent, that disputes are

resolved quickly and fairly and that large scale fraud cannot take place without being detected by the opposition or independent representatives the election commission. Um I'd also emphasize that as you seem to be planning, it's important not only to have transparency but to use it. Uh so for instance, you can have voter lists that are transparent, they're available for everyone to check, And you still need to check them to make sure that you can that they indeed accurate and if there are voters who are eligible but not on the list, that you identify them or if they're double voters or phantom voters, those are identified as well. and similarly, the, you know, the effort to ensure democratic elections comes down to documenting whatever goes wrong and publicizing those results. Um I will end with a few, oh, sorry, have couple more slides. Um again, the authoritarian rulers, they want to gain legitimacy through elections and, they want to make sure that they win and they stay in power Um, and so the effort to challenge that means documenting the fraud, and at least using that to challenge the legitimacy of an illegitimate election. And, it is, it is that defend the vote effort makes the difference but in a few cases, in a few

countries exposure of election fraud has led to the a change of power where let's say an incumbent an incumbent government that sought to hold on through election fraud failed in that effort. Um I wanted to offer a couple thoughts to maybe inform your discussions Um the first is that Yes, you, you need to audit and track the entire electoral process and you should also be effective in doing that and recognizing that your resource resources are limited and the way you audit an election process, can be more or less effective depending on how you prioritize your resources and that's why I'm saying, you should focus on two things. First of all, what kind of election rigging will make the biggest difference to the results? Um so, there can be some election rating that is, you know, it's small scale but it may not be big enough to change the results. Whereas, something like the tabulation of the vote nationally, that's huge. That's central and that deserve a lot of focus. Um I would also encourage you to think about how manipulation is likely to occur and often it is patterns that you've seen before. Um there could be new tricks that the ruling party pulls out and some of the best defended the vote efforts I've seen knew exactly what was coming and they trained their

people to look exactly. Here's what to look for and in this scenario, when the ruling party people pull their tricks, here's how you respond. I would also encourage you to develop a strategy, a defend the vote strategy that starts now. Um that is already articulating, you know, the specific reforms that you want to see that change either in the law or the regulations that you will need to ensure transparency and ability to actually monitor and audit the process. Um I would I know just enough to be dangerous to comment on, on circumstances in Zimbabwe now, but from what I've read, even though the election commissioners are nominally independent, that has been very much questioned, and so, I, I think it's critical to ensure that election commissioners are genuinely independent. Um, and I would also encourage you to start the discuss now with Sadiq and the AU. Um and so, you know, you can be advocating to them for the reforms that you want to see happen in Zimbabwe and that you want them to support and hopefully, that will put more pressure for these reforms to actually happen well in advance of the election. And the final thought is just a reminder that the strategy to defend democratic election processes and and a fair vote is it's a political

effort as well as a technical effort. And I'd encourage you to you know think through the technicalities and also the politics of what, you know, how is the regime using the electoral process to ensure that it wins and keep as much legitimacy as possible and especially not us domestically but also with neighboring countries and then think through the scenarios not just for when things go wrong on election day but you know, even a year out. Say, if you're advocating for genuinely independent election commissioners and more transparency in the vote tabulation. What do you do if that hasn't happened a year before the election? Or six months before the election? So, I will leave you with those thoughts and I welcome any questions and also look forward to the comments of the fellow panelists. Daniel, thank you very much. Uh as an avid reader of your very nice article on the menu, manipulation. It's a very lovely summary of that actually. Uh just a quick question and this is in a country that has been bedeviled by disputed elections Uh I think some fairly good documentations sometimes of the ways it's work. These things have worked. I mean I'm not thinking just about the violence. I mean violence is a very crude thing in elections

but manipulations are entirely different gap. Uh one of the problems that that I see is that if you follow your strategy you get to the particular point where you can say this is not work. This is not looking like anything resembling a democratic election. And then the question is this political call. You say something like this not going to be free and fair ahead of time. Um and and you you might recall that NDI made this call in 2000. They looked at the 2000 election in various ways and said this has no hope of being a genuine election. And the response to that generally and and this maybe speaks to your point about international scaffolding food actions. Is that everybody says you can't judge the game until the fact ladies sings. Right. It inappropriate to call things as foul ahead of the time. What's your view on that?

Um

I would, I would think of this not, again, I would think of this not as a technical question, but as a political question, and I don't know enough about the context to say, but here, here's, here's kind of the line of thinking, or the questions, is, what, What are the risks to the ruling party if the process is not seen as legitimate domestically. And what pressure

and influence do the neighboring countries have? Um for the government to or the ruling party to accept a truly democratic process. In other words, if the ruling party thinks I can do whatever I want, I don't care what any other African countries think or you know, as long as we threaten enough violence, the population will just accept what happens. Um there's whatever scenario is not going to get you very far but I suspect there our influences internally and externally that the government cares about. Um and so I would be thinking about, you know, who are the messengers, what is what are the ways to influence the ruling party's calculations? And Um It is it's a whole, you know, that's kind of analysis that's, you don't just do now, but it's, it, it needs to be an ongoing analysis. So, ideally, let's say, you're making the case domestically and internationally for what a genuinely democratic, or at least credible election process should be. And, if you can at least get sort of general acceptance of that, now, you're already in a stronger position, and you're sort of repeating that assessment, updating that assessment reinforcing, that argument as you get closer to the election. And then, you know, who knows, you know, there have been boycotts,

Rarely change change the outcome. Or I can't think of I can't think there may be an an example but I can't think of an example where a boycott has changed an outcome. But we're there are at least a couple of examples where even a a very flawed process, went ahead. It was well documented. And then in essence the the fraudulent outcome was overturned. So, you know, as a as a political dynamic, it's hard to still compete if in essence if you leave the game. So, you know, just a broad takeaway from what you're saying is, is, is, is the homework in practical and empirical terms about what we know has been done and could be done is really critical in the period leading up to the elections and that you're very clear where to look and I think as you point out, as to where your biggest damage will be done. And yeah and you're pointing out that probably the greatest damage is install in this horrible quote. You know who counts? It becomes the really crunchy point and how do you do that? Um and I would add here you know there's there's an encouraging sign. Zimbabwe heads of Christian denominations which is the consortium of all the major religions here. In a statement to be read out today said they are going to put an observer at every single polling station in the country. which also leads

to a second point, you know, this is a, obviously, asking an opinion of you, which is difficult. The value of international observation Um, I, I, I feel that it's as strong as domestic observation, that too often countries rely on the fact that the EU or the US or whoever, will be there to do the observation, and they will provide the smoking gun. Whereas, my sense is, it's always the other way around. I'd agree with that. I was I was just thinking the same thing. It's it's in some ways riskier to rely on international observer missions because in some cases, they are genuinely calling it as they see it. In other cases, they are in essence making some political calculations and giving one or the other more leeway than is Merited. Thank you Daniel. We'll come back to you. And I think that's a nice lead into introduce Susan Wape from from Zambia. Who pleased to join us Uh having just gone through an election where perhaps domestic observation was very very powerful. Susan is the executive director at Common Core Zambia. Um has worked many years, a decade at least on working governance and election and she's worked on an election observer missions with African Union, Aisa, Carter Centre, in more than 15 countries. Um and is passion above good

governance, transparency, and counter, accountability. And importantly, for us in Zimbabwe during the twenty twenty-one elections in Zambia, she led the keep it on campaign, which is aimed at ensuring that the internet was not shut down before and during elections, something, we observed recently in Zambia. Susan, welcome. Uh, please unmute yourself and perhaps you can pick up with your Zambian and your your internet experience on some of the comments that would be an observations being made by Daniel. Welcome. Thank you very much Tony. And I apologise if I repeat myself on anything that has been talked about. At some point I fell off the call. Um my internet misbehaved. So I may have missed a few issues that were raised there. But of course I think I would like to comment Daniel for his very eloquent presentation where he raises a lot of very valuable input. On the Zambian front I think we had a lot of issues with our elections Uh one of the things that had to put across is that we are really being held for a lot of things. Um that went well. I think other than mostly the part of the voting and the numbers that were pulled in to declare the opposition a winner. We had a number of challenges. Um with our electoral process. And since we are talking about the acceptable minimums in terms of

what constitutes an acceptable minimum to say that the elections were credible. Um and also looking at the integrity of an election. I would go back to pointing out some of the areas that have already been mentioned. For instance when we look at the electrocycle one of the first things that we talk about is delimitation. And in the case of Zambia the delimitation process is very crucial because that is where we see issues of gerrymandering and that is the beginning of the process in itself. So when boundaries are not ah demarcated accordingly. Then already that ah tilts the playing field for elections such that sometimes people a a particular party can be what's the the word would be ah a party may be may not be able to find a favourable spot. So for example here in Zambia what we saw is that when the previous party that was in power at the time the patriotic front undertook the delimitation process. They the the reports were not shared. Um it was done by the electoral commission Kwaito right? But the reports were not shared. It took a very long time before the reports were shared. And when they eventually were the numbers that were presented in that report and the number were being shared of the population from the central statistics

office were not the same. That in itself raised a lot of questions. Um secondly when we came to the the the voter registration as a country, what was decided was that we were to create a new register and that new register was supposed to take on board. Everybody who had ever voted before. However, the time frame that was allocated to this creation of whole new register was far much less than that which we had used in previous elections where we had more time and yet the the the register was not even a new register. It was just continuously adding those who had attained voting age, those who had lost their voters cards and those who maybe had moved and needed to change the location of where they would be voting for. This time we had a whole new register done within a very limited period of time. when stakeholders called for extensions, we were only given about three days extra to bring on board many people. So as a result of that as a country to this day, we still believe that a lot of people, we still disenfranchised as a result of the limited time that was given for for voter registration.

Also for Zambia, our registration period is connected to the acquisition of what we call national registration cards because we have to register. Once someone attains eighteen they can

apply, sorry 16, not 18. When once someone is 16 years old, they apply to get a voter's card. Sorry, a a national registration card. So there are places in the country that are very remote and rural. Where they cannot move from where they stay to come to maybe the provincial centres to acquire those. So what the electoral commission does is when they begin the registration process, they collaborate with the National Registration Card Authority which falls under the Ministry of Home Affairs, so that they can go and issue national registration cards to allow those that may want to vote to come on board, that did not happen. Ah, this time around, and ah, we, we, we experienced a lot of problems, with that in itself. Which also eventually led to a number of people being disenfranchised because one, they could not access the voters card. Um, they were also allegations of the process not being affairs in the sense that in certain areas the mobile issuance of voter registration cards stayed longer than in other areas. So those were some of the the challenges that we we faced at the beginning of the process. But moving forward to even election day when we now finally had our election period. Um on election dates off of course we had a a very high number in terms of the

voter turnout. Um along the way during the day also noted that in some of the polling stations for example things like in Delibo Inc which people use to to not okay let me not even go to Ndelibu Inc. For instance things like the voters stamp. Once a ballot paper is issued to a person it's supposed to have a a a stamp. Otherwise the the ballot paper is considered invalid. In some places those stamps had run out of ink. So even when they stamped the ballot papers the ballot papers did not have the the authentic stamp that showed that it was the valid ballot paper. Um these were problems that run across with a high number and ah ah a people struggled although we did not at counting come to a place where they disqualified any ballot papers. That was the reality that even the electoral commission observed. So those were some of the key issues we had. Um in terms of I talked about the campaign that we were leading around. Access to the internet. Um when we talk about issues of freedom of expression. Um during on election day, midday, there was a lot of information that was going around on social media platforms. Uh people were using WhatsApp and also share the different experiences that were happening. We also observe that the the the internet was cut. We had a partial internet shutdown in the in the country

affecting mostly WhatsApp which is what people were using in places where they were there was violence. We had places where people were killed in the process. that once that news was going around, it was cut short because there's never been to this, to this day, there's never been an official position on what it is that let the shutdown. Uh, one of the civil society organizations actually sued the Zambia Information Communication Technology Authority and the case is still in court, so we have been trying to find out what it is, who, who gave the order that the internet should be shut down. And, because is in in court up to now there hasn't been any formal position or information given on why that happened. So there were a number of of of things that happened around our elections that were very problematic and should the outcome of the election had been different. There would have been a lot of court cases. I know that earlier Tony you talked about having a number of disputed elections and Ozambia's case has not been very different. other than this particular election that we had in August, our elections have always been disputed. We've always had one party or the other disputing. The cases have gone to court consistently and it's just that this time the numbers were were

overwhelming. The figures of the people that voted were overwhelming and so it changed the narrative for the country. Um but I I will conclude. Maybe I will conclude my remarks here. Hello.

Thank you Susan. Uh I wanted to just do a conclusion but I don't know if you can hear me and if I have time. Yes you have time. Carry on. Alright, thank you. So, I wanted to conclude by pointing out a few recommendations on on on for for maybe Zimbabwe going forward. Um and what I want to talk about is that some of the things that we can look at to a certain integrity or to meet the bare minimum of what it takes to to to have credible elections is that one I think the always need for a lot of inclusive inclusivity. We need citizens to be able. We we need an electoral process that provides an equal opportunity for all citizens, eligible citizens to be able to participate in the voting process. And by saying Eco, based on the experiences that we had in Zambia, for example, with our voter registration, with the delimitation exercise, it did not give everyone an opportunity and it's very very important to ensure that when those processes begin, especially starting the demarcation of boundaries. Civil society, citizens should take a very keen interest to

look at how those borders are being drawn. Where you have, for instance, things like decentralization. Look at where the new boundaries are going. Um, these are some of the things that we usually overlook, but these are also some of the things that are very important. Most times when people think of election rigging, they are thinking about people stuffing ballot papers. That is not where it starts from. Sometimes it starts from. The small like demutation. When you create so many boundaries in a particular area which favour one party and do not favour another. Those can already create a problem because in terms of being inclusive, it will not be fair or equitable across the country. So we need to look at those aspects. And then secondly, I think we also need to address the issue of transparency. Um when the the process is transparent, it should be open enough, to allow are honest and accurate information. I shared the case of our electoral management body here where they did the the delimitation but did not share the report. It took forever for the report to come come out. There were a lot of inconsistencies which could not be explained by either the electoral management body or the central statistics office to say why they were getting

disparities. It was strange to not understand how certain areas had population growths that were way too high and not normal. And that part or in itself is lack of transparency and when you do not have transparency it's very hard for people to have confidence in the process itself. Um the issue of accountability is also extremely important and also to provide a competitive space. Where citizens have reasonable and equitable opportunities to compete in the electoral process. So you also need to look at the candidature. You also look you need to look at representation of women. For example here in Zambia. Before elections. Um so in during the elections we had very few women participating in the process. Simply because of the inter party. Sometimes we always look at the inter party issues. But even at inter party level we need to also begin to assess political parties. And look at what policies they have. That allow for all the different categories of people to participate. Are women able to participate fairly. Ah as their male counterparts. People with disabilities. The young people. Are they all part of that process. For us in Zambia we learnt that that that is one of the biggest challenges we have at party level ah and its ruling party opposition all these different parties. We are

not giving giving women a fair chance to compete. Because the cost of participating in the elections were very high and they were very violent which was quite repressive and a lot of people were scared. A lot of women in particular ah were scared to compete in those elections. There was a lot of corruption and bribery that happened within those political parties that prevented women from participating And when they finally did manage to participate we are looking at now in Zambia where we are where the president has been appointing a lot of people but we have very few women, only two women sit in cabinet at the moment. He talks a lot about women's participation. But when it comes to appointment, we are not seeing that happen. So I'm saying, even before we get to the part where, we, we, we have a new government and they begin to women even at party level. Let us begin to question those things. Let us begin to look at those things and see how they affect the the overall process. And again it's also very important to look at strategies that can help civil society to work together. Um when you when you're alone and pointing out things like you were talking about the case of NDI. Where you raised thank you. Alright. Alright. So in conclusion saying, when you have cases, we should not shy away from

pointing out what the problems are. Prior to the process getting to the very end. It's not about being a lone voice shouting from a hill, but doing collaborative strategies where you all come together and talk with one voice about the things that are affecting the process or may have adverse effects after election day. Thank you very much. Thank you so much Susan. Uh, I think outlining many of the things that Daniel pointed out are problematic and then pointing out how maybe we can overcome those. Um I have a question I'm going to come back to you with in a minute that I'd like to now move to our third speaker Alan Degani who is no stranger to this platform. Uh Ellen is the programme coordinator for the Zimbabwe Elections Support Network. And please move on to the sorry. Can we mute you? Right? Thank you. Uh so Alan, Ellen has been observing elections for 20 years. She's highly experienced and she's worked in African countries, in Asian countries. She's worked all over the way. So she's got an enormous amount of experience and is one of our stalwarts within Zesen who's been watching election after election and platform. Which is also a Commonwealth professional fellow. Welcome Ellen. thank you for being here and we would be very pleased

for you to share your reactions to Daniel's presentation and to share your views on the general topic about what sort of audit, what sort of audit is necessary for acceptability in elections in Zimbabwe. Welcome, over to you. Thank you very much Tony. Um and thank you to SAPES Rao for this platform and we want to share of course our reactions representing Zestin or on what Daniel spoke about and also my colleague Susan. Um so so I I totally agree with most of the observations from from Daniel with regards to especially when he said every stage of the electoral process can be manipulated. This is very true. And I think Tony also asked a question about election observer missions. Uh the the role that they they play and how effective is that role. I also wanted to ask that question to to Daniel. How can we strengthen the role of international election observers? Because these are are people or visions that are invited by governments in our cases Zimbabwe Our government actually invites observer missions. Or sometimes you solicit an an invitation. And it's it's granted by the government. So once the government invites do they know or are they aware how can we strengthen that the role of election observer s. For our case in two thousand and eighteen we did an audit where

we were trying to compile and compare the observer mission recommendations that were made in 2018. We managed to put together to collect 223 recommendations by the different observer missions. This is EU this is there was also the Commonwealth There. was saddact. There was PF. There was EC there was the one which was eminent persons. A lot of observer missions. Local observer s. there was ZCC, there was Z in CCJP and others. So we collated all those recommendations and we came up with 223. Then we we tried to to put them together into what we called clusters, themes and we came up with about 15 teams out of those fifteen teams. We then tried to see which ones were not duplicate. We hundred 15 recommendations. So that's a very huge number. And already what we have seen to date from 2018 to to date we only have a few few milestones in with regards to reforms. We have seen one the extension of the women's quarter as part of some of the recommendations from the observer missions. Ah now we have the main man. Number two that extended the women's quarter for another ten two terms. Then we saw the is in the introduction of the the youth quarter. That's also one reform that we have also seen. The introduction of the women's quarter in the local authority. Then the ratification of course

of the arctic of the African Charter. Just a few few recommendations being adopted. Yet we have a plethora of recommendations. So my question was to to Daniel. What can we do as as domestic observer s, as locals, as Zimbabwe to push for the implementation of electoral reforms. We have done lobbying meetings, we have done advocacy, we have done position papers, we have done a lot, we track the recommendations, we we have done, I think a lot of things, what else can we do as a, a civic society and, and locals. Um, so I think we need to, to learn from, from, from him and also, from my colleague Susan, for African Union, I was privileged that last week I was in Zambia, where for the first time African Union went back to Zambia to present its report to the various stakeholders. And this was the first time African Union was doing it in Africa. So we have seen this being done by EU and how effective is that process? What can we do? I know there are issues around sovereignty and so forth. But what can we do to strengthen that process where we invite people to our elections They. do recommendations and we just sit on recommendations. What can we do? Then I also wanted to react to the issue of registration in particular. That was noted by Daniel that as part of some of the key electoral processes that we

should watch out for when it comes to election manipulation or or of fraud. I think Susan also referred to the importance of registration. Uh we were supposed to have a what is called a voter registration blitz. Um in in Zimbabwe. Starting from sixth December and today there was a statement in the herald by this mobile electoral commission that they are postponing that process to next year 2022 in February. And in their statement they said they want to to have the the issuance of ideas. Start first and then registration. Which is very good and which is the reasoning is quite good but the the commitment now how how do we link the election management board's work and the civil registries work. In some countries I see that they what what is done civil registry and the the voters who are linked such that when once a a a youth or a young person turns eighteen automatically they register. Uh maybe to Daniel as well who do you who do you recommend a a link of the civil registry? I think for us we actually separated. We had that before when everything was under the the registrar of general. We removed that because we wanted Zach to be truly independent to have that independent of having the of the voters role. But now with this issue of pushing forward

some processes to make other processes happen first which they are not in control of. Ah how can we also strengthen those processes? Should we go back, revert back to the linkage of civil registry and the voters rule or what I'm just thinking that maybe you can help Daniel. I'm just posing a question to you. To make us maybe think outside the box in with regards to how can we strengthen that process like you said this is one of the areas where if it is difficult for the youth especially the first time voters. If this cumbersome for them to go and register. It means that war group is disenfranchised with regards to participation in elections already, it's very difficult to get an idea at the moment in Zimbabwe Then. I also wanted to react to, to my colleague, Susan, from Zambia, the, the, the issue around, the, the selective application of law that I also noted in Zambia. You have the public order law that you have. And in terms of interaction with stakeholders when I was in Zambia. This particular law was actually administered selectively by the police. And the recommendation, one of the recommendations from the African Union was for the law to be reviewed. And for reforming and also professionalis of the Zambia

police service. Um so my my
that were propered. The timing
Because once the current or the
now the incumbent government is
comfortable with that act or
with that law. I don't see them
reforming it because it's
actually advantages them. Uh
the COVID regulations that were
put in place were actually
advantageing the PF party. And
once the reforms delayed. We
also likely to see a number of
concerns coming from
stakeholders. Where the current
government now will be
comfortable. We also see that
some of these laws can actually
give them an advantage in 2026
elections So that that was my
reaction to Susan just for you
to comment also on this
selective and the timing of
recommend of of reforming
Because you you are still in
the euphoria. You are still in
that state where of course the
na was changed and ah we are
seeing a lot of changes in
terms of policy and so forth
but we also want to know the
timing so that the government
is not too comfortable with
some of these ah repressive
legislation. And then my so
with regards to to to my my my
quick ah ah reactions to my
quicker presentation to our
current scenario in Zimbabwe
Like. I've indicated we are
seeing a very slow pace with
regards to electoral reforms.
Um and ah our reform we we've
put them in three categories.

We have the legal reforms. Those reforms that we feel needs to have police change or the legal framework should be changed. Uh this include the things like the the time frame for the provision of the voters row to different stakeholders in the last election. We saw political parties getting the voters raw. After the nomination process. Yet they are supposed to use the voters rope to get their nominators to nominate them. So we want such changes which are legal and also ah to be affected. Then we also have some legal reforms around the independence of Zac. Where we want the independent of Zac to be strengthened in the legal instrument, in the law. So that we are very sure that it's truly independent and they should also are also able to undertake some of their work in an independent way. Like not reporting to a minister but reporting to parliament and so forth. Then there's also other issues around the specific times for multi-party liars on committees. Which is provided for in the law six months before the election and we feel that already there are a lot of issues that happened around the electoral cycle. Even with the voter registration, with the delimitation, where political parties should engage and make sure that they they discuss some of these issues at political party level. So these

multipath lies on committee should be instituted a bit earlier to to ensure that political parties discuss a of key electoral processes, not only election or appalling processes. So those are some of the legal reforms. I've just given you just a few. I think the other one that is contagious, that is maybe that political party, Some political parties are are pushing for, for that to also be allowed to correct minor errors. You know, like when they, when they announce wrong results, I think you know the issue of when is when they announce wrong results, they should be able, at least to correct those minor administrative areas, eh areas. At the moment, eh, they cannot do that, because the law does not allow them to correct, eh, eh, minor errors. But is it also good to give Zeke such a leeway to do, to correct errors, do we, do we also want that? Because I think this provision was put in place for a particular reason, where eh, whoever drafted or whoever drafted was, was thinking that if we give Zack that leeway to correct minor errors they may actually abuse the the, the, the, the power. So with the, given what happened in our election where results were announced wrongly, and then the issue was taken to court, and the supposedly going to be winning the election, now is

the loser because of technical errors in submitting the application to court and so forth. So it's really disadvantages, us, as, as, some, players in elections. Then for, in terms of administrative. I think Susan he spoke about the limitation. I I will agree with you on the issue of the limitation as one of the key processes that needs to be Also watched out for and there's need for oversight on that process. There's also need for engagement of citizens to make sure that they are also participating in the process. Currently the constitution, the law provides for Zack to consult different stakeholders. But there's no provision the law, in the electoral law, in with regards to how be engaging citizens, are, they going to be doing public hearings, are they going to be, to be asking for, for, for, or verbal or return, or we don't know the type of engagement. So we also want maybe some strengthening there, with regards to regulations that actually speaks to how Zeke will engage. and also that also speaks to the principles that sec will be actually using, in terms of, representatives, some of the principles, equality of vote, impartiality so that they are really stated in the law and they are also provided for in the regulations. Um then the other issue around around the

limitation I think is the general awareness and also the timing. In our law the constitution we are the the report cannot be used if it's it comes with 6 months or after six months before an election. So it has to come six months before an election. it to be effective. So we are worried now as Zimbabwe our, delimitation is scheduled for October 2022, according to the cabinet briefing. Um this gives Zach October maybe to December given that our elections are likely to be in twenty twenty-three around July or August. So this gives Zac a very short period of time to undertake the process. Our other worry is on the quality of the process. Our other worry is on the absence of a clear roadmap with regards to what can be done now. How can they engage for example citizens now before the actual exercise of the limiting constituents can they do consultations now we are not aware. So the other issue we are also really concerned about as Zimbabweans is the issue of the absence of transparency in the process, the absence of roadmap that is can clearly set out debts of what Zack will be doing at which given time and month and hour. So we need also that for us to be able even to mobilize citizens to participate in the process. Susan you rightly said that it's important for

citizens to participate in the delimitation process. They are the ones that know the the actual some of the maybe the previous demarcations. They actually know the the environment. They know the history, historical background of some of their constituencies and wards. So that input you will be really net necessary. Uh with regards to the process. So there there's a lot Tony. There's issue of transparency in results, management. We also have concerns around that. It's also a recommendation that was preferred by many election observer admissions in the last election. They need to review procedures especially on election day to ensure that they are in line with our constitution, ensuring that voting, counting, aggregation or voting. It's simple. It's also verifiable. Secure and transparent. So when we say our result will be posted outside polling stations. It should be the same at ward level. It should be the same at constituents collating centre. It should be the same at the national collating centre. So that we can verify as citizens We. can verify as stakeholders all the results process and in in it's done in a transparent manner. So these are some of the issues that we have. There's a lot. I think 115 recommendations you can imagine. Tony there's issue of

special voting, issue of diaspora voting that and talk about and a whole lot of other issues. But I think my quick reactions and were to the two colleagues in particular Daniel. So that we also get advice and how we can strengthen our processes. And I think the last thing is the issue of confidence building maybe to Daniel and and Susan. Uh I think we have that challenge in our country where citizens in general we don't have confidence in the election management body. I think you can when Zeke posts something on Twitter, you can see how people react to every tweet that is posted by Zach. There's a lot of I can say even abuse language that is used. It says a lot and I think there's needs for something to be done to build that confidence, to build that trust in the election management board and what can be done. I know Zambia, there were issues also on in that regard with regards to trusts with regards to trust amongst stakeholders on Election Commission of Zambia. So Daniel maybe can assist you. How can we help and ensure that we build that confidence and trust as stakeholders. Um ja. The other issue I wanted to comment about is the issue of recalls Tony. But I will leave it for another day. Which is also another area that too is likely to increase voter apathy and to

discourage the electorate from voting. Um from voting because there was anyone who was really affect especially areas that were affected by ricos. You you see that your your votes did not contribute, did not make sense because you voted for someone and that person was recorded. Of course the law provides for that. But what can be done to ensure that these some of these processes don't discourage the electorate to participate in elections. As much as we want the electoral to participate in elections the lot of issues for us to discuss and consider. And increase citizen engagement and participation. in electoral processes. I think for for Zimbabwe Tony I think I need maybe two three hours. I I will leave it there for now. Thank you over. Thank you Helen. Thanks very much. And thank you for unpacking all those issues. Daniel I think there were a couple of questions that were raised and pushed in your direction. Um yes. Uh Ellen raised some issues about observer s. Um what what can be done to ensure better quality from observer s. And the second point was in respect of registration. Right. And the notion that when you get citizenship, you get your right to vote. Which obviously I I think our constitution actually suggests that but it doesn't have any practice. Right. Um,

then I think there was a a final question there, which I think is, is a deep question out of your presentation, which is, how do we build trust in the process? And I think that's, that's probably the biggest question. Dan rally to you. Yes, so thank you, Ellen, these are all excellent questions. Um, I'll take them in order and first of all on on the question of confidence, I would turn it around. I would say it is incumbent on Zach to instill confidence. Um and as citizens I would see the role of citizens as demanding that of of the election commission And demanding the transparency, the opportunity to mobilize. I I very much appreciated Susan's point about mobile citizens already at the the delimitation process and make it their responsibility because it is their responsibility to instill confidence. On the point about voter registration obviously, it's more efficient if the civil registry feeds directly into the voter registry. Um and I think that can be done in a way that is consistent with Zex independence. If it is clear that Zec has the final word on the voter registration list. In other words if Zach says I will take all of the civil registry and everyone there is automatically registered to vote. But if anyone is missing Zach on its own authority can

add eligible voters to the list. And what is, again, what is key with whatever the procedure is, what's most important is that it is transparent, that citizens themselves can check the list, and also citizens groups like Zesen can do a more thorough audit to see if they're significant populations that are omitted or double counted. on the the biggest question, how to advance the recommendations, and encourage international observers to be truly helpful.

Overall, I would recommend that you approach it primarily as an advocacy challenge Um as in think first as an advocate, and secondarily as an election expert. Um, because what will make the difference in having recommendations adopted or not, is frankly, a political strategy on pressure to the decision makers who can make the difference. Um, and so would start with the question, you know, who is making the key decisions, who influences them, what influences them, and then, how can you, encourage influence to advance those reforms. This may include so as an example if the decision makers are influenced by public opinion make the case to public opinion. Make sure that citizens are mobilized early in the process. So, as an example, you know, as Susan suggested,

involving citizens in the delimitation process, it adds transparency, it's also a way to mobilize citizens to make them more invested in a sound democratic process. I would and you probably have done this already but I would strongly encourage you to do regular reports maybe every two or three months from now up to elections so that you're you're keeping a scorecard of the recommendations and you're reminding people again and again and again what needs reform and has not happened yet. Uh and I would encourage the international observers to do long term observation. At least six months and I would try to encourage them to come a year in advance. And have their reports. And one of the advantages if you were doing reports that indirectly puts pressure on the international observers to be more rigorous. In other words it's a lot harder for international observers to come. You know six months before an election saying, yeah, you know, there's some administrative problems but everything's fine. If you've put out a report right before that very well documents and details, what is wrong with the election process to date? and the, of course, the added advantage of pre-election reports is you're issuing recommendations in a way that

says, okay, this process is not working well but there's still time to fix it. Um, and again, it's a way of mobilizing international opinion, domestic opinion by keeping this as an ongoing issue, by reminding audiences, and ultimately trying to add pressure on the decision makers, to fix what can be fixed. Um

Couple other small thoughts that that emerge from the discussion. Um I you know, when you have a hundred plus recommendations, it's too much for most people to digest and again, I would encourage you to highlight, yes, you want the full list of recommendations and you also want to highlight a handful of things that will make the biggest difference. Um I like that you mentioned Ellen the independence of Zach. Uh I would take that further. I mean, look at individual commissioners and see if there's anything in their public comments of individual commissioners that indicates a bias and jump on that and and highlight that because ultimately, it's not just Zach as an institution, it's the individuals who are making those decisions. Um and I'd also mention that I am a big fan of parallel vote tabulations And one example I I think of it's a while back. Serbia two thousand. Um but observers were mobilized to pretty much every polling

station. Um the official results were posted and opposition parties had a a copy signed by the polling station chairperson. Uh so those were in essence official copies of results at the polling station level. And they were fed in very quickly to election headquarters and the parallel count was announced before the official results. Um and it was all documented. And I would note that this was it was over 20 years ago. And this was all done it was it was collated in a software program. Uh so in this day and age, I think it would be easy to have an app that could give each observer you, know, they can just plug in the numbers, they can take a photograph of the the posted results and send it in centrally and in the Serbia case, what happened was they actually had a history. Again, they knew, they knew the regime was going to pull this trick. Um they knew that they could win at a polling station level but that the election commission would cook the books and put out an inaccurate tally and that's why the opposition put out their account which was an accurate count but they put it out first and it was a lot harder than for the election commission to put out a fraudulent tabulation. Thank you Daniel. Um, if I may, I want to, you know, this is the opening of a series about

elections election, systems, etcetera. as you know, Zimbabwe operates on a first pass the post system has just the United States and so does the United Kingdom. Many countries have gone to proportional representation system. Do you have any sense about manipulation within those different systems? Whether one is is more liable to manipulation than the other.

I think first pass the post systems are more liable to manipulation. Um looking at at Zimbabwe's election electoral system, the biggest issue is that the the presidency is very powerful, particularly compared to parliament. And because that is, in essence of, well, a dual round system, but

I would, I would worry most about manipulation in the presidential election more than the parliamentary election.

Thank you Daniel. Um now that people can obviously have questions, comments and stuff like that. So if you would just put your hand up if you can.

I'd like to pose a question back to Susan. Um where you made the comment that like Zimbabwe you'd had immense problems with every election until the last one. So the question to me from me to you is what changed? What's changed in 2021? Why why was this different.

Um thank you very much. Uh,

Tony, the I think the, the thing that really changed in this election, am I, can you hear me?

Hello? Lauren Claire, we can hear you. Alright, thank you.

So, what changed in this election really is the the voter turnout. We haven't had that much of a voter turnout in in a very long time. Um the the the very last election that we had in in twenty sixteen, we recorded actually an all time low because we only had about 32% turnout of voters. So the numbers were very low there was there had been a steady decline in terms of voter turnout. But in the twenty twenty-one election the turnout was extremely high. A lot of people went to vote and the voting in itself was very decisive. It was very clear that people just wanted the patriotic front to exit the system. For so many reasons. They had to go. I think that was the biggest change. But other than that the politics at the bottom of it the issues that I raised that I talked about that were problematic have still been problematic. For example, the issue that Ellen raised about the timing of reform is actually very very central. It's very very important. For Zambia, the Public Order Act which Hillary refers to is a very very odd piece of legislation that has been there since the 70s. And that, that,

that, public order act has been used as a law that is actually very selectively applied like Ellen Rightly put it. All the successive governments from the first from the first opposition that came into office which was MMD. They have all always said this act is very repressive, it's repressive, that when they come into power, they will wipe it off and up to now it is still with us. So the issue of timing is very important because until we see for instance the current government doing away with this act. It will still be there and they will also use it the same way that their predecessors used it to repress citizens. So, we we need to actually act on this. Thank you very much Ellen. I think this is something that we need to come on board and act on and demand that it be we see some serious reform. Because indeed delayed reform makes governments very comfortable and they don't change things. Then there was also some that I would like to talk about that Ellen was asking. The issue of confidence in the electoral management body. One of the things that I have observed in in in doing this election. Where can I know that LN you've observed this in all these different countries. Often confidence in the electoral management body is quite low. And the only way that an EMB can garner the

requisite support and respect from citizen is doing things transparently. Um the the the politics of Zambia. Our electoral management body I think in this in the 2021 elections was the worst. I can actually say that the leadership that was provided with the current EMB our commission was very very poor. They did not listen to people. They were not as consultative. They changed a lot of things in a negative way I must say and by a lot of things I'll give you a few examples. Um in Zambia from time in Memorial we've always had this system where the electoral commission supports political parties, the media, and and some eminent persons to go and observe things like printing the ballot papers. And in this election they scrap that off and just said they were not doing it anymore. And every political party had to pay for itself. Whilst they may have argued that political parties can afford to pay for themselves. There are still the other political parties, the smaller political parties, the new political parties that could not afford to sponsor themselves and observe this process. And when the ballot papers came there were a few issues that were raised here and there. But so many things in this election not change other than the turnout and the

number of people who voted for the party that won. Many things remain the same. And for me personally I feel it's very very important for even us as Zambians to begin to think to move from this euphoria that we are feeling of oh yeah we went we did away with that party because we didn't like it. But to begin to look at serious reforms and the things that went wrong. With our EMB which we did not by the way have confidence in. We were not convinced that going to deliver credible elections. But. the numbers did not lie and people were happy and we are not talking about it. But had things gone south. Tony I can assure you we would have had a lot of cases in court for so many different issues. Thank you. Yeah.

this issue of trust, I may interested in all of your comments, Daniel, Helen and Susan. It does seem to me that electoral bodies can create trust by not being strictly legally. I mean, you've just raised a point that I think is is close to my heart. The printing, allocation, or ballots. Um how they're placed for every polling station around the country seems to me a very obvious, transparent process that would create enormous confidence and it doesn't seem to me and I know ERC has gone on about this for

many years that within the if
if you want the the regulatory
framework of Election
Commissions. There's an
enormous amount of work that
they can do to create
confidence. And maybe these are
some of the the lobby points
that you're able to push to
create the the position that we
can accept it. That if you can
see the printing of the ballot
papers, you can see the total
number, you can see how they're
allocated for ward and polling
station. Uh then you're fairly
confident when you count the
numbers that there's a tie up
between the two. The audit is
complete. Uh it seems to me
that these are things that are
relatively easy for an
electoral commission to do. I I
I'm not sure what your comments
about that, Daniel or Ellen and
Susan, any of you?

Um yeah, I, I, I agree that
allowing observer s to see the
the printing of ballots would
seem pretty straightforward and
innocuous and, as you correctly
point out, it's a way that the
commission can show
transparency and by doing that,
start to, to build confidence.
I like to come in? Yes. Yes, I
want to just oppose a question
to both Ellen and Susan. And
then end off with a question to
Ellen, your outline was very
depressing. Am I correct? In
the first instance to conclude
that it is doubtful that we'll
have a reformed electoral

landscape. By 2023 Or to put it more bluntly. That we are backing up the wrong tree to expect any reform on that front. And if so are we indulging in a fetal exercise. I would like you to have to see his repeat itself. Is there anything to expect other than if a negative audit become six months before elections between twenty-three? That's my question to It's coming from a very important organisation system. We've been involved in in the election industry. almost two decades. what are we expecting if we are so confident that there is no reform inside. Let's go. Let me just suppose that with with question to to Susan. Susan if on the eve of the elections in Zambia. A few months ago. The audit. would have been as negative as Zimbabwe's. Would you as Zambians have proceeded to elections? or conversely What is it that made you so confident? the election landscape would be so even as to allow the kind of victory that was achieved by the opposition in Zambia. to Daniel.

thank
you very much the three
of you for your presentations.
And Daniel's was particularly important in in sense that he was kind of a blueprint for a free and fair elections. In Zimbabwe is two decades of of disputed elections. and yet we

allow history to repeat itself
Under what conditions from your
experience Scanning the the
global situation. Again can
there be more than just
observer s from the
international community to
ensure that elections are
indeed free and fair. Is there
possibility of mechanism or
indeed a precedent whereby the
international community or
regional blocks, or even
the UN? To supervise elections
in such countries. As Zimbabwe
Zimbabwe Elections have become
fussical. I'll leave it there.
and give you both. Alright.
Well, let's let's start in your
order, Alan. Uh couple of
questions to you. Okay. You got
them, alright? Yes, yes. Thank
you
for the
questions. Uh Yeah, I,
I, I, I know I painted a gloomy
picture, but that's the
reality, that's what we have.
And I also agree with, with
Daniel, that's the
recommendations or the reforms
that we are pushing for, too
many. We need to streamline
them. We, we have done that,
and also, next year, around
next year, we'll definitely do
prioritisation of some of the
reforms. So I totally agree
with, yes, there are too many
115 but we have, they put them
in clusters like I indicated
fifteen clusters. And of those
clusters we are saying at least
they should implement eh some

of the recommendations under each cluster. So for yeah I I totally agree that we are indulging in a future exercise but we should not tire. I think same applies with Zambia. I think the road that they've walked at has not been an easy one as well. We share some a number of similarities. Uh I recall when Daniel was presenting. He spoke about boycotting saying boycotting may not change the outcome in most instances. But however I want to say that in next year around maybe mid year thereabout we had planned a Zestin to do an an audit of electoral reforms. And we're going to have a symposium. Which we might still have if if we we secure the the the funding. So we wanted to do symposium. Where we were going to invite key electro stakeholders and in particular election observer missions that came to the 2018 elections in Zimbabwe To audit the reforms that would have been put in place by the time we do that symposium. And I think one of the key outcomes we are expecting in that symposium is to for for these key stakeholders where the political parties, civic society to make maybe what I would call hard decisions or critical decisions. And this could be political decisions whether Zimbabwe we can go ahead and say we want to have

our elections 2023 or we then support something else like maybe the sabbatical with assurance that reforms will be put in place maybe during that sabbatical. I don't know. I can't really say what would be the discussions but we hope that that symposium will bring us something that we can actually use a society. In terms of enhancing our advocacy or uplifting our advocates to another level. So it will give us a clear picture of whether Zimbabwe should go ahead with 2023 elections. And like already been indicated by by colleagues in this platform. The a lot of every election process every stage of the electoral cycle. There's a lot of manipulation that happens there and if there are no reforms I totally agree with you of that. We'll see another contested election again. Another contested outcome again in 20twenty-3. So decisions can be made by civic society, by political parties, by the technocrats, by the AMOs, election observer missions, whoever is interested in our elections. I think we need to make difficult decisions at that particular symposium. And if our audit clearly shows us that the playing field is now level. There's no I mean sitting with our election. But I think if you recall I know you you are in IT survey. Um there was a tweet by by the

acting Zambia Gosmizarit. Um
honourable Jinamasa or Mister
Chinamasa about Zanu PF. I
think at some point he said
Zanu PF has eight strategies of
winning an election. And so far
they've only used two. So that
clearly shows you that we have
political party empowered
incumbent. That is also
planning and strategizing how
to consolidate their power, how
to remain in power. And it
could be that not implementing
reforms is one of the
strategies we don't know. So we
need also to to to get to
analyse some of these
statements. What they mean
politically and what they mean
with regards to the issue of
reforms. What we are hoping for
like I think in Zambia there's
there's one in the commission
that there's need for a
inclusive dialogue where they
can set maybe a committee that
looks at reforms. We also have
that recommendation that
Zimbabwe should set up a
committee to to see the
implementation of reforms. This
committee we thought it would
be very inclusive with civic
society, with government, with
Zach, with institutions,
supporting democracy
academia to discuss the
reforms. But what we saw is the
IMT inter ministerial task
force being put in place. A
government ah task force that
is now trying to implement some
of the reforms. So you know

what that means. The sincerity, the political will is not there. So I think that audit I mentioned will be really important and I hope that we'll all be able to participate and make the critical decision moving forward. Uh we saw boycotting. I'll just give I think with Daniel if you were not aware. 2008 we had a runoff where in the in the general election there was a tight contest whereby they then opposition, main opposition leader Changrai was leading and we did a parlor of water tabulation assessment which clearly showed that the opposition leader was leading in that election. And what we saw was the raiding of the offices before we announced our projection. The edition to arrest the board, the directors and we all went into hiding. Then there was a run of in the run off we saw a lot of intimidation, violence in in rural areas, especially areas where the ruling party has lost in the election. People were harassed, people were beaten, people were were, some were mad at, we had an observer was actually killed for observing election 2008, Elliot Machibiza. So went for a runoff which as a civic society we boycotted. We did not observe that runoff. And the opposition leader also Changerai boycotted did not run in that election. What did we see? We saw the

government continuing with the election and the the the one who was losing. The president who was losing winning with a resounding over seventy percent votes. One main election. And what did we see next? A GNU. So it was actually to their advantage coming in into LGNU because they had lost an election. But the genuine managed to give them leeway and also an advantage of consolidating their power and restructing. So boycotting not boycotting I think the decision will be made when we do the audit and when we do the symposium that I've spoken about. Uh doc prof sorry I think it's continuous to be gloomy from my end. I'm sorry. Over. Tony thanks. Thanks Helen. Uh Susan question to you from Iba is if you've done the audit and you'd come to the same position why would you push What, what, what, it's, I think it's a remake of my question, why, why did you seeing all those difficulties still get this result? listening to Ellen and and the gloomy picture Um I I would like to actually say you all need to cheer up. Don't be that gloomy because anything can change. We had a very gloomy picture in Zambia prior to elections. Um. but first maybe to response to prof. Um when you when you ask Ellen whether what you're doing is an excise in futility I would say it is

not futile at all. I think Zimbabwean citizens and civil society have been doing a lot of things right. I'm seeing a lot preparation in Zimbabwe towards elections that are only taking place in twenty twenty-three. Um you know which is not very soon but there's so much work and effort that's going into all these things they are doing. Um Ellen you're talking about Z in planning, a symposium, that's going to help audit. All those are efforts that are going to translate into something. So please do not feel discouraged. Yes the picture may be gloomy but so many things can change. And since you have started you are on the right direction. The one thing I would encourage you to do is to continue galvanizing citizens. Getting support from the citizens, encouraging the citizens letting, them know and understand why they should vote, once they know what it is they want to vote for, once they know what it is they do not want, the people who turn out in numbers, I'll be very honest with you. Um, if on the eve of election day as we've been asked, the audit was at as negative. Would we still be confident that the outcome we saw would still be, I would say because I think every citizen had had enough. There was a lot of mismanagement. There was an elite group of people that was contributing towards material

deprivation of citizens There. were these cards that we had who used to disrespect everyone starting from the police. We had started a Zambia feeling as though we are foreigners in our own country. All those things annoyed everybody because there was a very small elite group that seems to have it okay. it got to a point where people felt like going to school was pointless. The only thing you had to know was insults and harassing people to make money. Because that is what we were saying and that was the reality of the situation. So once we made people understand that the only power they had was the ballot. To help them change and choose who it is they wanted to vote for. It was very easy. The turnout on election day told us that the PF was leaving. The moment we saw the numbers of people turn out because all those people were disgruntled citizens. So. you have to just make sure that you consistently inform the once you drill it into their heads and they understand. They will come up and they will vote and they will make that difference. Otherwise for us in Zambia the story was very much similar. Yes the outcome was positive. Based on what the people wanted. But the negatives were so many. Even as of election day. As even as of the eve of election day. There were a lot

of things that were just not
affair especially to even the
opposition itself. Ellen Elias
shared with us the selective
application of COVID
regulations for example. The
ruling party had been going
around campaigning non stop in
the name of opening government
programs et cetera and yet all
they were doing was campaigning
and the opposition was being
told not to campaign because of
COVID. They were being told oh
when you draw ah crowds we have
COVID COVID guidelines. You
need ABCD. But that did not
stop the people. We even move
to a place where most of the
political parties remember we
held our elections in the
context of COVID. And that
created a lot of challenges. So
many things were new. For
instance, one of the things
that stood out during the
campaign period, was the, the,
the idea of campaigns, online
campaigning. So, most of the
political parties were using
things like social media,
Facebook, to, to do campaigns.
And we noticed that on the days
when opposition was doing their
live campaigns, the internet
would slow it would drastically
slow down where you could
hardly watch or hear anything.
But when it is the ruling party
we would say that the internet
would be okay. So those are
some of the challenges we face.
The the the the the environment
was not level but once the

people understand focus on informing the citizens Tony. please spare me 30 seconds so I do not forget this point with you. 30 seconds okay. I wanted to talk about something relating to donor support. I think it's also very important for cooperating partners to begin to provide support to other election. Ele electoral stakeholders. In Zambia we had that problem as civil society. The donor community had put money in one basket. But that money was dispersed very late. So eh for people for civil society to be able to conduct things like civic education, outreach activities that was problematic. Those were also I think eh would have been a contributor that you know could have limited ah the work of civil society. So when you talk about things like reforms and the things that Zin for example like to do. It would be very prudent for cooperating partners to also understand that they need to provide timely support for some of these changes to take place. Thank you very much Tony. Thank you Daniel. Back to you. Yes. Um so in answer to the the media question I don't think having international supervisors is a good solution. Uh the typically it happens in a a a post-conflict environment. And even and you know, I'm thinking UN role in Afghanistan, they

can be very permissive because of their own sort of political calculations. And I would agree with Susan that what's more important is getting international donors to support civil society and do it early on as in hopefully now or very soon. Um and be engaged politically in supporting reforms. If I could I wanted to share a couple observations based on on this last discussion. Um again, I agree with Susan that mobilizing citizens is a a key part of the effort to work towards the democratic process. And one of the considerations, I mean, I certainly understand Zimbabwe has been through too many Elections that lack credibility that it can feel futile. Uh but I think it's very important when when you get to that point of of making that decision. Um a boycott is almost inherently demobilizing. In other words once you say, okay, we're not competing anymore. If you try to put something else in place, a lot of people will will not participate because they know what the outcome is. Um and you know, there have been studies mostly of US, European countries of what pushes voter turnout, and looking at all many different factors, the biggest factor is that there is real competition. That voter seed, there's a real choice and there, their vote matters. Um

another thought is, again, thinking about this effort to have a democratic election as an advocacy and and political effort. I think it's critical to set expectations and do so early and repeatedly. Um so, starting now, I know the I remember that the two thousand eight elections had a horrible wave of violence. Um the manipulation has become a bit more sophisticated but you could already start talking about we don't want to see Zanu, EF resort to that kind of violence again. Um and if you get to the point of saying this process is too flawed to to participate. Um I would hope that you're not just basing that on one report but have had plenty of reports, public conversations, advocacy to the AU and Sotic and and mobilization of the public that they're all invested enough and and see that it's not you know, a one-time technical decision but it's been part of an ongoing civic effort to really push and engage and try to have a fair, incredible process. Um and one last thought, you know, sadly, you have seen that the ruling party, it can live with contested elections right? It's and and but there's a difference between the election is contested, you know, the experts are critical, the opposition party says, you know, this is unfair versus a

more dramatic outcome for manipulation. so, you know, it's one thing for the opposition party to say, okay, I don't accept the results. It's another thing that a mobilized population is very worked up about it and will stay mobilized to defend the vote. Um and similarly, it's one thing to have an international election of observation mission to come and be kind of critical and then three days later, move on to something else versus the international community is really appalled by the election manipulation and will not live with the results and will be ready to impose some consequences on a ruling party that stays in power through election fraud. So, I'd encourage you to, you know, set expectations and and look for that, you know, frankly, a bigger political goal that is not just a technical effort but a way of mobilizing domestically and internationally to have clear pressure on the ruling party to deliver a credible process. Daniel, thank you. Right, it's we've reached the time now, I think. Um, thank you. It, I think it's a very good start to a series. I think a couple of things have come through. I mean Dan you've made us very clear But you have to think about what you want. But you also have to think about how

you're not going to get it. And that's a combination of if if like if I can call it electoral actions and political actions. And that requires you to have a strategy of a very broad kind. And it has to have buy in from a board constituency. If you're going to sell the notion that the election is not acceptable, this has to be done a long way ahead. It has to be done empirically so that you're able to show against the history of all the things that can go wrong and the fact that they're still going wrong, you have to provide the reforms that are necessary and easy. Uh for an electoral commission to do. And above all you have to you have to have the citizens run with you. I do think that's a very big hill to climb with the citizens. I think Zimbabweans do vote and they vote in very large numbers. What I think is less evident is that they're engaged at times outside elections I think political trust is so low. Uh in the state, in the government, in political parties, that citizens don't actually get involved in many activities. And I think the climate in which they're living, the struggle for livelihoods is a big problem So I I don't think we should underestimate the context in which we're going to struggle for this election. And I think one of the things that's also important is that

if we end up as Ibo says it's futile. We get to the point where once again you have conflict. You do have to have a plan for that point about what are you going to do when we hit the inevitable that we hate? What are you going to do at that particular point? I think Daniel pointed that out that that particular point there has to be the the idea that something different must happen. So, thank you. Daniel, thank you very very much indeed. Um I hope people go and search for your your paper. I mean, we will make this available but for those who need more detail than Daniel was able to provide. There's a very fine paper out there for the menu of manipulation. Uh and several other papers there that you you should read and they're very very worthwhile. Uh to Susan thank you for sharing the experience and thank you for being optimistic. And we hope that we're able to do what you do. Bring the citizens out in vast numbers. And Ellen thank you once again for joining us and we will all look forward to engaging with you as this process goes on over the next six months. Uh and I'd like to hand you back to Evo to make the closing remarks. Thank you Eva. Thanks Tony. Thanks Tony for very engaging session. One of the best we have had. Uh notwithstanding the the low

attendance which is due to number of factors one of which there's a we normally meet on Thursdays instead of Tuesdays. But there was no other way of getting Daniel here. except to have you today. So most of our audience will will have thought this is Thursday and they'll be tuning in on Thursday in vain. Uh secondly I'd like to say that the these live streamed Facebook. And I noticed and number of scores of people on Facebook already. Um and it to be on YouTube by tomorrow. Uh we also this session like all other sessions. Uh trans described and are published in the form of policy briefs. Uh and let's reach a a discussion. This has been we're happy that we have this that technology. And so you will in the next few days a week at most have a transcribed version of this. And as I said YouTube will be available by tomorrow. And Facebook will be live streamed. I want to thank Daniel. Finding the time to join us and to grace our SAPES Trust Prosy dialogue forum. We look forward to working with both you in the future. to Susan. As we say in the language of Zambia, my second home. Thank you very much indeed. For bringing this fantastic insights. We had a very useful policy dialogue on the Zimbabwe elections a few months ago. it was very inspiring. And and to provide a very useful

contrasting situation the
situation that in Zimbabwe.
And. it was therefore useful
having you today. To just
pause. The Zambia success. And
the the Zimbabwe an failure so
far. And then thanks again
Ellen for being so bold and to
the point. I think you have
really helped us further this
discuss Yes, as Susan said to
be too pessimistic, let's
remain focused. And that is
really the purpose of this
series. Again, thank you to all
of you who joined us.
Especially those of our
faithful like reward. Whichever
sign, mode play out there.
Thank you for joining us. Till
we meet again in a fortnight.
Goodbye.
Thank you. Thank you doc. Thank
you Tony and everyone. Cheers.
hey I
of what