

SADC PRINCIPLES AND GUIDELINES ASSESSMENT ANNEXTURE.

PRINCIPLES	RATING: DONE	NOT DONE	COMMENTS
Member states to ensure that all their citizens enjoy freedom of movement, assembly, association and expression and political tolerance.	All political parties are able to contest and campaign in all constituencies.	-The Public Order and Security Act limit these Freedoms. (Chapter 11:17) and Access to Information and Protection Act (chapter 10:27). The latter was used to ban <i>Daily News</i> , a local daily, and to ban foreign journalists. - NGO Bill fear factor	Selective application of POSA, there is need to notify the police of public gathering. The police normally deny permission. Lack of alternative voices, freedom of expression and the practice of journalism
Elections should be held at regular intervals on dates announced timeously	Zimbabwe Constitution requires that elections be held at regular intervals.	Time at which they are announced however is too short.	
There should be impartial, all-inclusive, competent and accountable electoral bodies to be appointed, staffed by qualified personnel.	Electoral bodies have been set up, i.e. ZEC, as a statutory body. - ESC, Delimitation commission still in place, and other administrative organisations such as the National Logistics Election	- Appointment of chair by president not seen as fair. - Electoral bodies started preparing for the election late. - Functions of the Electoral Member Bodies not very clear – Statutory vs. Constitutional body.	There is a need to synchronise the bodies and establish an IEC. ZEC appointed with the participation of opposition parties. The Delimitation Commission is still empowered to demarcate boundaries which are then advertised by ZEC ESC to supervise the ZEC, which in turn supervises Registrar General of Voters
There must be voter education with the participation of civil society.	- It was implemented, but it was late. - ZEC and civil organisations allowed to conduct voter education.	It was made a law with effect from 2 February 2005. There was no adequate time for it.	ZEC has power to authorise civil society to conduct voter education through local funds as no foreign funding is allowed, ZEC did not have adequate time to conduct voter education
National and International observers must be accredited and given access to everyone concerned in the electoral process.	ZESN got 6004 observers accredited, a big change from the 400 accredited in 2002.	A committee dominated by Ministerial nominees accredits observers, and only persons invited by a Minister or Electoral Supervisory Commission may be accredited. Monitors will all be public servants.	Ministers of Justice and Foreign Affairs still responsible for the invitation of local, regional and international observers respectively, some organisations locally and regionally have been denied the chance to observe elections based on the discretion of the various ministries

All political parties are to be given equal access to state media and allowed freedom of campaigning. Funding of political parties must be transparent and based on agreed legal thresholds.	- All parties have been given airtime on television, to campaign. - Public funding of political parties is governed by the political parties (finance) Act (chapter 2:11), which is largely transparent. - All parties are now able to penetrate remote areas. - Media regulations for media access for political parties were put in place on 6 February 2005.	All political parties are allowed equal access to the media and to campaign freely in terms of the Electoral Act, Funding was given to political parties which meet the required threshold in terms of the Political Parties Finances Act put in place for political parties on 6 February 2005.	Parties and civil organisation are now allowed to put adverts in mainstream media but at an expensive rate. The time within which the regulations were put in place might not allow civil society and political parties which were in the past denied access to remote areas adequate time to conduct voter education and campaign
All citizens should be given the right to participate in the political process and an equal opportunity to vote. Participation of women, disabled persons and youth must be encouraged.	- ZANU PF is trying to ensure a minimum number of female candidates. - Disabled people may be assisted to vote if they cannot cast their ballots unaided. However in the presence of monitors, police and presiding officer	Not all citizens will be able to vote since the electoral Act requires resident people in a constituency to be able to vote. Postal votes are only allowed for state employees.	The need to allow individuals who are not in their constituencies the right to vote using the postal voting system, Assisted voters to bring trusted friend or relative Braille material for the bind. Polling stations at hospitals and old people's homes
There must be no discrimination in voter registration and the rolls must be up-dated and accessible.	There is no discrimination in voter registration, except between residents and non-residents, and there is elaborate provision for up-dating voters' roll.	The Citizenship Amendment Act stripped of 4 th generation Zimbabweans off their nationality and therefore were not able to vote in the 2000, 2002 and the 2004 elections	There is need for laws, which allow those who were born in Zimbabwe of the right to vote.
Polling stations should be sited in neutral places. Measures must be taken to prevent electoral fraud and adequate resources must be provided.	-The Act has new provisions marking voters with indelible ink visible to the eye. -Transparent ballot boxes are to be used. -Voting to be done in one day.	-Electoral Act does not regulate the citing of polling stations. Due to this, some polling stations are cited in Chief's homesteads, villages and farms. Traditional leaders are partisan. -Electorate is fearful of translucent boxes. Made to believe that their votes will no	Polling stations should be located in neutral places and the Constituency Election Officer in terms of the Electoral has wide powers of coming with Polling stations in areas he or she considers being suitable. Non independent institutions and individuals should not be involved in the running of elections

		longer be a secret. -The quality of ink is cause for concern.	
Votes to be counted at polling stations in the presence of monitors, observers and polling agents.	-The electoral act also stipulates that counting will be done at the polling station.	-Electorate fear retribution since counting is to be done at the polling station.	-Voter education should help in informing the electorate. -The electorate is misinformed, they believe that the translucent ballot boxes will make it easy to identify who voted for which party.
A special Electoral Court must be set up to adjudicate on challenges to election results.	- The Electoral Act sets up this special Electoral court. - The Act also makes provision for the Electoral Commission to set up multi-party liaison committees in every constituency with powers to mediate disputes and grievances.	-Adequate resources to help judges with work. -Seconded to the EC and still maintain their roles with the HC, Election Petitions to be solved within 6 months, The executive should desist from interfering with the decisions of the courts	The need to complement the judges of the Electoral Court with staff and equipment The Executive has attacked the judiciary and in particular the Electoral Court decision in R Bennett vs. ZEC and Others as madness.
Constitutional and legal guarantees of freedom and rights of citizens	The Bill of Rights in the Constitution of Zimbabwe and the Supreme Court are supposed to be the shields of the citizenry,	Independence of the judiciary, the judges of the superior court are perceived to be constantly under political interference and influence	Safe guard the operating space and independence of the judiciary.
Conducive environment for free, fair and peaceful elections	Less over plus political violence than before	Hate language and some intimidation by traditional leaders, removal of posters.	
Existence of updated and accessible voters' roll	The Office of the Registrar General was responsible for the updating of the voters roll	The registration was not done and supervised by an independent electoral management body such as ZEC. ZEC only came into existence after the 2 of February 2005, when registration was already in progress or close to being completed, no adequate time for them to supervise the processes	The state of the voters roll is questionable as access to it was late and its costly to purchase, ZEC did not supervise its compilation and its inspection and the shortcomings of voters roll might be alluded to the weakness of the Registrar General's Office
Where applicable, funding of political parties must be transparent and based on	All political parties in Zimbabwe which satisfy the 5% threshold for receiving foreign funding have already been	Other independent candidates and political parties did not receive funding,	There is need to recognise new political players and parties,

agreed threshold in accordance with the laws of the land.	furnished with the money in terms of the Political Parties Finances Act		
Establishment of the mechanism for assisting the planning and deployment of electoral observation missions.	Accreditation Committee established.		More on planning and logistics to be put in place.
SADC Election Observation Missions should be deployed at least two weeks before the voting day.	SADC PF and EISA left out.		
Freedom of movement within the host country	Guaranteed to observers if accredited.		
Accreditation as election observers on a non-discriminatory basis			
Unhindered access to and communicate freely with the media.	Yes		
Free access to all legislation and regulations governing the electoral process and environment.	Briefing packs by ESC		
Free access to electoral registers or voters' roll	Too costly and too late.		
Unimpeded and unrestricted access to all polling stations and counting centres.	To be assessed.		
Communicate freely with voters without prejudice to the electoral law proscribing such communication in order to	Code of conduct not allows accosting voters or interview on polling day.		

protect the secrecy of the vote			
Communicate freely with all competing political parties, candidates, other political associations and organisations, and civil society organisations.	Yes		
Communicate with and have unimpeded and unrestricted access to the National Electoral Commission or appropriate electoral authority and all other election administrators.	Yes		
Establish where none exist, appropriate institutions where issues such as codes of conduct, citizenship, residency, age requirements for eligible voters and compilation of voters' registers, would be addressed.	Citizenship an issue. Residency also an issue and postal votes are denied for Diaspora.		
Safeguard the human and civil liberties of all citizens including the freedom of movement, assembly, association, expression and campaigning as well as access to the media on the part of all stakeholders, during electoral processes as		It's a big issue because of AIPPA, POSA and the NGO Bill is in place. Some freedoms done	

provided for under 2.1.5			
Ensure the availability of adequate logistics and resources for carrying out democratic elections	Yes but no adequate time		
Ensure that adequate security is provided to all parties participating in elections.	Improvement now than before		
Ensure the transparency and integrity of the entire electoral process by facilitating the deployment of representatives of political parties and individual candidates at polling and counting stations and by accrediting national and / other observers / monitors.	ZESN has 6000 observers accredited, ZCC has got 1119 and EFZ has also 675 observers. ZCTU had its observers denied.		Needs to decentralise to constituency level accreditation of observers
Issuing invitation by the relevant electoral Institutions of the country in election to SADC 90 days before the voting day in order to allow an adequate preparation for the deployment of the Electoral Observation Mission.		Not done.	
Ensure freedom of movement of the members of the SEOM within the host country.	Done		
Accreditation of the members of the SEOM as election observers on a non-discriminatory basis.		SADC PF and EISA denied.	

Allow the members of the SEOM to communicate freely with all competing political parties, candidates, other political associations and organisations and civil society organisations.	Yes but no schedules for ZANU PF star rallies.		
Allow the members of SEOM to communicate freely with voters except when the electoral law reasonably prescribes such communication in order to protect the secrecy of the vote.	Code of conduct does not allow accessing voters on polling day.		
Allow the members of SEOM an unhindered access to and communicate freely with the media.	Done		
Allow the members of SEOM to communicate with and have unimpeded access to the National Electoral Commission or appropriate electoral authority and all other election administrators.	Done		
Allow members of SEOM free access to all legislation and regulations governing the electoral process and environment.	Done		
Allow the members of SEOM free access to all electoral		Not done	

registers or voters' list.			
Ensure that the members of SEOM have an unimpeded and unrestricted access to all polling stations and counting centres.	Polling Yes	But counting not clear access at constituency level for tabulation of votes	Limited numbers of only one observer at party agents inside polling stations at any given time.

