

**BRIEFING BY THE HONOURABLE
MINISTER OF FOREIGN AFFAIRS, CDE.
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TO THE DIPLOMATIC CORPS ON THE
MARCH 2008 HARMONISED
ELECTIONS: 06 MARCH 2008**

Introduction

I welcome you all to this briefing on the forthcoming Presidential, Parliamentary and Local Authority elections here in Zimbabwe.

As most of you are aware, following the proclamation by His Excellency President R.G. Mugabe in January this year of the date of our harmonized elections, Zimbabweans will go to the polls on 29 March to, once again exercise their democratic right to choose a President, Parliamentary representatives for both the House of Assembly and the Senate, and Local Government Councillors of their choice.

Background To The Harmonized Elections

The decision by the ZANU - PF Party's Central Committee to harmonize elections in Zimbabwe was taken in February 2007. These harmonized elections will be held following the passage of the Constitution of Zimbabwe Amendment No. 18 in October, 2007.

The main provisions of Constitutional Amendment 18, 2007 are as follows:

- The reduction of the Presidential term from six (6) years to five (5) years.
- The synchronization and harmonization of Presidential, House of Assembly, Senatorial and Local Authority Elections. The Presidential term and the lives of Parliament and the governing bodies of Local Authorities would therefore run concurrently.

- The joint sitting of the House of Assembly and the Senate to elect a President in the case the office falls vacant before the expiry of the Presidential term. The President so elected would serve for the remainder of the term.

- The expansion and restructuring of the membership of the House of Assembly from 150 to 210, all of whom will be elected on a constituency basis.

- The expansion of the membership of the Senate from 66 to 93, of whom 60 will be elected on a constituency basis, 18 elected by the chiefs from among themselves, 10 Provincial Governors and 5 appointed by the President.

- Before the Constitutional Amendment, the life of a governing body of a Local Authority was four years, that of Members of Parliament 5 years and that of the President was six years.

This meant that elections of one type or another, had to be held every year and this made the whole exercise costly, both financially and politically.

The Extraordinary Summit of the SADC Heads of State and Government held in Dar-es-Salaam, Tanzania in March 2007 mandated H.E. President Mbeki of South Africa to facilitate dialogue between the ruling ZANU (PF) Party and the two opposition MDC factions.

The mediation by President Mbeki was extremely successful. Agreement was reached on all matters of substance including a draft constitution. The only disagreement arose on a procedural point on the implementation of the draft constitution.

The MDC factions both wanted Parliament to impose the draft constitution on the people of Zimbabwe. The ruling ZANU PF recalled that the people of Zimbabwe had rejected a similar draft constitution in 2000.

It would therefore be wrong to enact the draft constitution by parliamentary fiat before the March 2008 elections. ZANU – PF therefore took the view that the people of Zimbabwe had the right to extensively discuss the draft constitution after which it would be subjected to a referendum before adoption. This could only be done after the March 2008 harmonised elections.

Other Legislative Amendments

The success of the mediation by President Mbeki is illustrated by the fact that apart from the joint sponsorship of constitutional amendment No. 18, the two negotiating sides also agreed on and effected the following amendments to four key pieces of legislation which were gazetted by Government on 11 January 2008:

- The Public Order and Security Act (POSA) (which provides that those who intend to organize public meetings, political rallies or demonstrations will now appeal to the

Magistrate's Court if the regulating authority (the Police) prohibit them from holding the planned meetings or demonstrations. Previously, they would appeal to the Minister of Home Affairs).

- The Access to Information and Protection of Privacy Act (AIPPA) (which was amended to reconstitute the Media and Information Commission as the Zimbabwe Media Commission, consisting of a chairperson and eight other members appointed from a list of not fewer than 12 nominees submitted by the Parliamentary Committee on Standing Rules and Orders).

- The Broadcasting Services Act (BSA) (which provides for the reconstitution of the existing Broadcasting Authority of Zimbabwe Board. The Board shall consist of twelve members of whom the following nine shall be appointed by the President after consultation with

the Minister and the Committee on Standing Rules and Orders):

- Two persons chosen for their experiences or professional qualifications in the field of broadcasting technology and broadcasting content.
- One shall be a chief as defined in the Traditional Leaders Act and nominated by the Council of Chiefs.
- One shall be a registered legal practitioner with not less than five years' standing.
- One shall be a registered public accountant with not less than five years' standing.
- One shall be a representative of Churches or other religious bodies.
- Three other members.

The remaining three members shall be appointed by the President from a list of six nominees submitted by the Parliamentary Committee on Standing Rules and Orders.

- The Electoral Laws Amendment Act, (which amended the Zimbabwe Electoral Commission (ZEC) Act and the Electoral Act to provide for the Zimbabwe Electoral Commission's new procedures, powers and functions. The Act, among other provisions, empowers the Commission to regulate the conduct of the news media with respect to elections. Public broadcasters are obliged to afford political parties and candidates contesting an election free access to their services in accordance with the regulations made by the Commission).

The passage of the Constitution of Zimbabwe No. 18 2007 and the four pieces of legislation was an epoch-making event in Zimbabwe in that, for the first time, Zimbabweans on both sides of the

political divide were able to effect the amendment of the Constitution and the passing of key pieces of legislation by consensus.

This, as we all know, did not go down with our detractors.

The harmonized elections will be held on 29 March 2008 under the supervision of the Zimbabwe Electoral Commission.

The Zimbabwe Electoral Commission (ZEC)

The Zimbabwe Electoral Commission was established first by an Act of Parliament in late 2004 and later, in 2005 by Section 61 of the Constitution of Zimbabwe to organize all elections and referenda in Zimbabwe.

The ZEC comprises the following members:

- A Chairman – who shall be a Judge of the High Court or the Supreme Court, or a person qualified to be appointed to those positions. The Chairman is appointed by the President after consultation with the Judicial Service Commission.

- Six other members, at least three of whom shall be women, appointed by the President from a list of nine nominees submitted by the Committee on Standing Rules and Orders of the Parliament of Zimbabwe. This Committee consists of representatives from all the political Parties represented in the Parliament of Zimbabwe.

The ZEC performs the following functions:

- to prepare for, conduct and supervise:
 - o elections to the Office of President and to Parliament

- elections to the governing bodies of local authorities and
- referenda, and to ensure that those elections and referenda are conducted efficiently, freely, fairly, transparently and in accordance with the law.
- to supervise the registration of voters by the Registrar-General of Voters.
- to compile voters' rolls and registers and to ensure their proper custody.
- to design, print and distribute ballot papers, procure ballot boxes and operate polling centres.
- to conduct voter education and
- to accredit observers of elections and referenda.

The ZEC's core values rest in its independence, impartiality, transparency,

integrity, commitment, professionalism and high ethical conduct. In fact, “subject to the Constitution of Zimbabwe and the ZEC Act, the Zimbabwe Electoral Commission shall not be subject to the direction or control of any person or authority in the exercise of its functions...”

Conduct Of The March 2008 Elections

The conduct of our elections in Zimbabwe, the March 2008 polls being no exception, is based on the following stages:

- Registration of Voters by the Registrar-General
- Delimitation of constituencies by ZEC
- Inspection of Voters' Rolls
- Proclamation of Election Dates
- Nomination of Candidates
- Political Campaigning
- Polling Days

- Counting of Votes, Announcement of Results, and Post-elections Phase
- Voter Education – is conducted throughout all the stages of the electoral process.

The March 2008 elections will be Ward based, meaning that eligible voters will cast their ballots only in Wards in which they are registered.

The March 2008 elections will be conducted in one day and the tallying and counting of votes will be done at the voting centres, in the presence of polling agents, and candidates, which makes the system open and transparent.

Zimbabwe has also enshrined into its legislation, the SADC Principles and Guidelines that Govern Democratic Elections to ensure that the electoral process conforms to the highest standards. Zimbabwe is so far the only country in SADC that has made the SADC

Principles and Guidelines part of the laws of Zimbabwe.

Foreign Observers to the Elections

- Over the years, Zimbabwe has adopted the custom of inviting International Observers to witness its electoral processes.
- In accordance with this tradition, the Government of Zimbabwe has extended invitations to several countries and organizations to observe the people of Zimbabwe exercise their democratic right to freely elect their President, Parliamentary Representatives and Local Government Councillors on 29 March 2008.
- This was done in compliance with Section 124 (15) (c) of the Electoral Act [Chapter 2: 13] which empowers the Minister of Foreign Affairs to invite foreign observers to witness our

elections while the Minister of Justice invites local observers.

- As a result, both local and foreign observers have been invited.
- Foreign invitees were selected on the bases of reciprocity as well as their objectivity and impartiality in their relationship with Zimbabwe.
- Clearly, those who believe that the only free and fair election is where the opposition wins, have been excluded since the ruling Party, ZANU – PF, is poised to score yet another triumph.

Accreditation Of Diplomats As Observers

It is also our long-standing practice to accredit diplomats accredited to Zimbabwe to observe our elections.

Only those diplomats who are accredited on a full-term basis (and not those on

temporary assignments) and wish to observe the March 2008 elections will be granted accreditation upon their request to the Ministry of Foreign Affairs.

Diplomats accredited to Zimbabwe but are not resident in the country will also be accredited and should follow the same procedure as their resident counterparts.

The accreditation of all foreign observers takes place daily up to 29 March 2008 at the Harare Polytechnic College in Harare and the Bulawayo Polytechnic College in Bulawayo between 0900 hours and 1700 hours.

- It is our conviction that the involvement of the observers will only further enhance our already open and transparent electoral process as well as enrich our democratic experience. Beyond that, the legitimacy of our elections will come from the people of Zimbabwe and not from any external source. The notion that only big powers can bring legitimacy to elections in

Developing Countries must be totally rejected.

- Let me assure you all that our elections will be free and fair. All concerns expressed by the opposition have been addressed to their full satisfaction. We have the will, the institutions and the instruments to achieve a result that will be accepted by our electorate.

Thank you, Your Excellencies

06 March 2008