

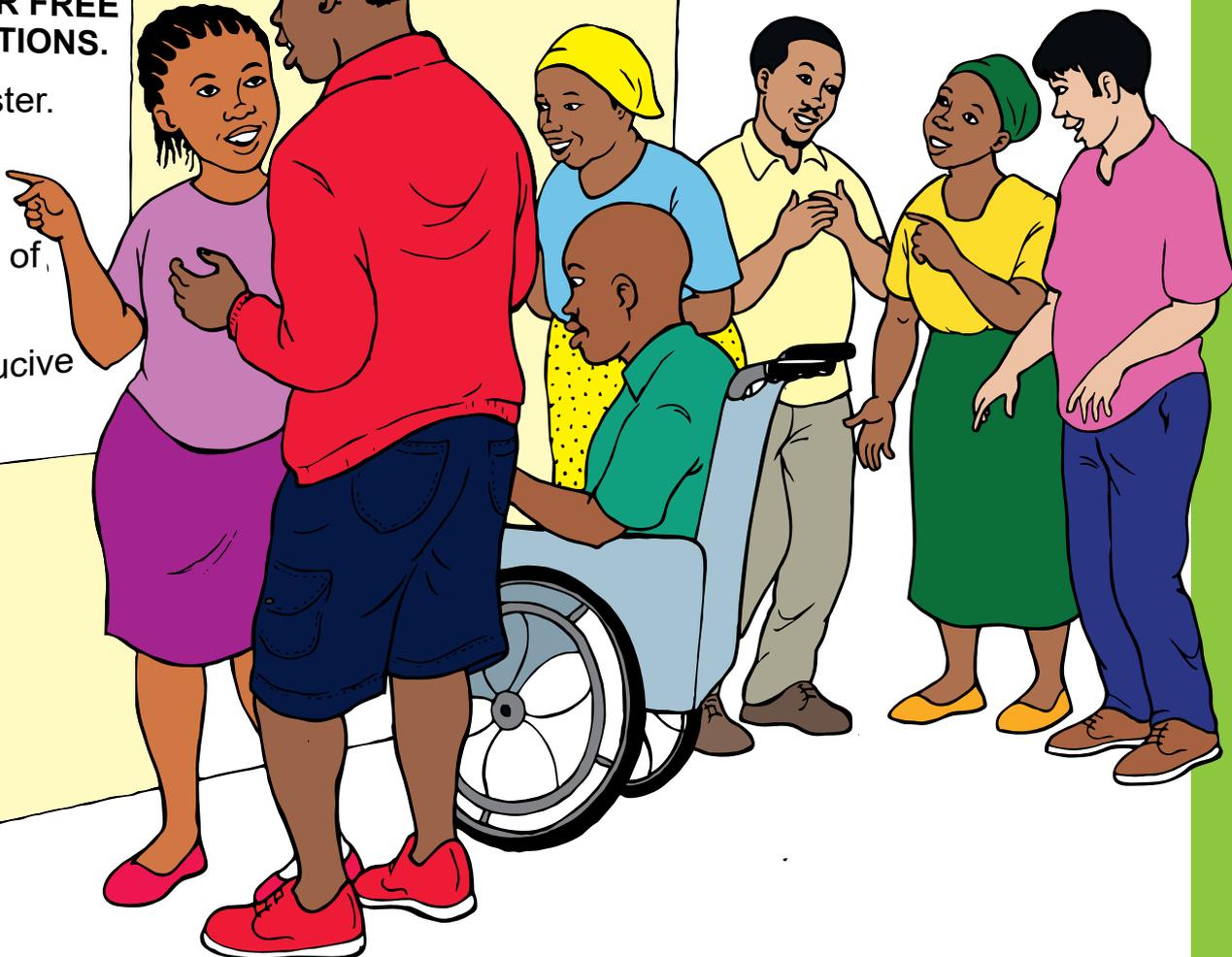


ZIMBABWE ELECTORAL COMMISSION

VOTER EDUCATION HANDBOOK

CONDITIONS FOR FREE AND FAIR ELECTIONS.

- Ability to register.
- Ability to vote
- Right to result of, vote
- Right to conducive environment



Empowered lives.
Resilient nations.





ZIMBABWE ELECTORAL COMMISSION

VOTER EDUCATION HANDBOOK



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- Registrar General of Voters;
- Curriculum Development Unit, Ministry of Education, Arts, Sports and Culture;
- Independent Commissions – the Zimbabwe Human Rights Commission (ZHRC), the Zimbabwe Media Commission, the Zimbabwe Gender Commission and the National Peace and Reconciliation Commission;
- Traditional leaders;
- Political parties;
- Non State Actors including the Media, Civil Society Organizations (CSOs), Faith Based Organizations (FBOs) and the Academia;
- Members of Public who participated in the pilot study;
- The Editors;
- The Electoral Institute for Sustainable Democracy in Africa (EISA) for the financial and technical support
- International Foundation for Electoral Systems (IFES)
- United Nations Development Programme (UNDP); and
- United Nations Women (UNWomen)

PREFACE

This handbook provides information to Voter Educators to conduct a Voter Education Programme that will cover various aspects of the electoral process.

The Handbook provides non-partisan information which will not be biased in favour of any contestants in the elections. The Handbook will not seek to influence the electoral choices of the voters but will simply provide objective, factual information to voters to enable them to make their own choices.

The important rule for all Voter Educators is that they must be objective and non-partisan and must not show any bias towards or against any candidate of a political party. Voter Educators must assure participants that they are politically neutral and do not represent any political party or any political interest group.

The information contained in this handbook is provided to Voter Educators with a thorough understanding of the legal framework of elections, electoral processes and procedures. It is essential that the voter education programme be as interactive as possible and not be a process of transmission of information to passive audience. Readers and learners should actively participate in voter education.

Voter education is non-formal public education. It helps citizens to:

- acquire knowledge, skills and general awareness that will empower them to play an effective role in the conduct of public affairs and to make informed choices on issues that affect their everyday lives;
- understand the electoral process, their rights and responsibilities in relation to this process; to participate fully and meaningfully; and
- provide the electorate with information about candidates and the method to vote and enable voters to make their electoral choices accurately and effectively when voting.

Voter education plays an integral role in encouraging citizens to participate and exercise their democratic rights to choose their leaders through the ballot box. In this way the democratic process is enhanced and voters are mobilised to exercise their civil and electoral rights.

FOREWORD

The Zimbabwe Electoral Commission (ZEC) is an independent body which controls and manages all election processes at all levels in Zimbabwe. ZEC was established in 2004 to control and manage as well as oversee all electoral processes in the country. The mission of the Commission is “To conduct elections and referendums in accordance with the laws of Zimbabwe and electoral management best practices through a well-resourced Commission and in collaboration with relevant stakeholders.”

One of the major functions of ZEC as provided for in the Constitution, Section 238 is to conduct voter education. Voter education is a prime action and catalyst for effective elections and especially the voting processes. 2017 saw the advent of a new voter registration system – the Biometric Voter Registration System (BVR). This new voter registration system came as ZEC’s efforts in creating a new and comprehensive Voters’ Roll for the 2018 elections through technological system for managing electoral processes. It is ZEC’s intention to galvanize the Zimbabwean electorate to register and participate regularly in elections.

ZEC has developed its 2017 – 2020 Voter Education Strategy. The strategy was crafted on the understanding that voter education will be essential in developing an informed and motivated citizenry. Voter Education is therefore required for a healthy democratic practice and for enabling individuals to make smarter choices affecting their day-to-day welfare. It remains the key for unlocking the individual’s ability and determination to fully participate and have a voice in the governance of the country. It provides election literacy and confidence that the electoral process is appropriate and effective in selecting governments and promoting policies that will benefit the individual voter.

Voter Education with its combinations of activities and various methods of dissemination of electoral information is particularly focused on reaching as many eligible voters as possible. It impresses on the electorate the importance of civic participation and their right and responsibilities as citizens.

Voter Education remains a continuous activity for the Commission. The Handbook has six sections and is intended for use for all players that participate in voter education in Zimbabwe. This Handbook is a major source document for all education materials that will be produced by ZEC, within the current legal framework governing ZEC operations. It has been revised and updated with current and updated information for voter education.

The Commission hopes that this Handbook will be an information resource to empower voter educators, the electorate, civil society and everyone who seeks to further understand the electoral processes in Zimbabwe.

Justice Priscilla Chigumba

Chairperson, Zimbabwe Electoral Commission

ACRONYMS

AU	African Union
BAZ	Broadcasting Authority of Zimbabwe
BVR	Biometric Voter Registration
CEO	Chef Election Officer
CSOs	Civil Society Organisations
CMED	Central Mechanical Equipment Department
DDF	District Development Fund
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	Electoral Management Body
FBOs	Faith based Organisations
GPA	Global Party Agreement
ID	National Identity Document
IFES	International Foundation for Electoral Systems
JOMIC	Joint Monitoring and Implementation Committee
MP	Member of Parliament
MPLC	Multi-party Liaison Committee
ONHRI	Organ on National Healing Reconciliation and Integration
PEMMO	Principles on Elections Management Monitoring and Observation
PR	Proportional Representation
PSC	Public Service Commission
RG	Registrar General
RGV	Registrar General of Voters
SADC	Southern African Development Community
UNDP	United Nations Development Programme
UNWomen	United Nations Women
VRIC	Voter Registration Inspection Centre
ZEC	Zimbabwe Electoral Commission
ZHRC	Zimbabwe Human Rights Commission
ZESA	Zimbabwe Electricity Supply Authority
ZINWA	Zimbabwe National Water Authority
ZRP	Zimbabwe Republic Police



SECTION ONE:

The Zimbabwe Electoral Commission



ZIMBABWE ELECTORAL COMMISSION

The Zimbabwe Electoral Commission (ZEC) is an independent Electoral Management Body (EMB) established by Section 238 of the Constitution of Zimbabwe. This EMB conducts elections and referendums in Zimbabwe. Its composition is prescribed under Section 238 of the Constitution. It consists of a chairperson, a deputy chairperson, and seven other commissioners, at least four of whom, apart from the chairperson must be women. The persons appointed as commissioners are chosen for their integrity, experience and competence in the conduct of affairs in the public or private sector.

The President appoints the Chairperson after consultation with the Judicial Service Commission and the Committee on Standing Rules and Orders. The Chairperson must be a judge or former judge or a person qualified for appointment as a judge.

Commissioners are appointed for a term of six years, and may be re-appointed for one such further term, but no person may be appointed to serve on The Commission after he or she has been a member of one or more periods, whether continuous or not, that amount to twelve years.

ZEC has a Secretariat headed by Chief Elections Officer (CEO). Secretariat staff is employed following a transparent recruitment process that is gender sensitive and compliant with labour best practices. The Secretariat is decentralised to Provincial and District levels headed by Provincial and District Elections Offices respectively.

1.1 FUNCTIONS OF THE ZEC

The functions of ZEC set out in the Constitution of Zimbabwe, the Electoral Act [Chapter 2:13) and the Referendum Act (Chapter 2:10).

ZEC's functions in the Constitution are set out in Section 239 as follows:

- i. To prepare for, conduct and supervise -
 - Elections to the office of President and to Parliament;
 - Elections to provincial and metropolitan councils and the governing bodies of local authorities;
 - Elections of members of the National Council of Chiefs established by Section 285; and
 - Referendums; and to ensure that those elections and referendums are conducted efficiently, freely, fairly, transparently and in accordance with the law;
- ii. To supervise elections of the President of the Senate and the Speaker and to ensure that those elections are conducted efficiently and in accordance with the law;
- iii. To register voters;
- iv. To compile voters' rolls and registers;
- v. To ensure the proper custody and maintenance of voters' rolls and registers;
- vi. To delimit constituencies, wards and other electoral boundaries;
- vii. To design, print and distribute ballot papers, approve the form of and procure ballot boxes, and establish and operate polling centres;
- viii. To conduct and supervise voter education;
- ix. To accredit observers of elections and referendums;

- x. To give instructions to persons in the employment of the State or of a local authority for the purpose of ensuring the efficient, free, fair, proper and transparent conduct of any election or referendum; and
- xi. To receive and consider complaints from the public and to take such action in regard to the complaints as it considers appropriate;

Section 5 of The Electoral Act [Chapter 2:13] provides that the Commission will exercise certain additional functions as follows:

xii. Additional Functions and Powers of the Commission

In addition to the functions set out in Section 239 of the Constitution, the Commission shall be responsible for:

- (a) Undertaking and promoting research into electoral matters;
- (b) Developing expertise and the use of technology in regard to electoral processes;
- (c) Promoting co-operation between the Government, political parties and civil society in regard to elections;
- (d) Keeping the public informed about –
 - The times and places where persons can register as voters and the progress of the voter registration exercise; The delimitation of wards, constituencies and other electoral boundaries; The location and boundaries of polling stations and when they are open; Voters’ rolls and the times and places at which they are open for inspection; Political parties and candidates contesting every elections; and
 - Voting; and generally, all matters relating to the Commission’s work and the electoral process; and
- (e) Making recommendations to Parliament on appropriate ways to provide public financing for political parties.

On delimitation of the Zimbabwe Electoral Commission (ZEC) is guided by the following considerations:

- Physical features;
- Means of communication within the area;
- Geographical distribution of voters registered on the common roll; and
- Community of interest among voters registered on the common roll.

Section 5 of the Electoral Act [Chapter 2:13] allocates additional functions to the Commission as follows:

5 ADDITIONAL FUNCTIONS AND POWERS OF COMMISSION

In addition to the functions set out in Section 239 of the Constitution, the Commission shall be responsible for—

- (a) undertaking and promoting research into electoral matters;
- (b) developing expertise and the use of technology in regard to electoral processes; (c) promoting co-operation between the Government, political parties and civil society in regard to elections; and
- (d) keeping the public informed about—
 - (i) the times and places where persons can register as voters and the progress of the voter registration exercise;
 - (ii) the delimitation of wards, constituencies and other electoral boundaries;
 - (iii) the location and boundaries of polling stations and when they are open;
 - (iv) voters rolls and the times and places at which they are open for inspection;
 - (v) political parties and candidates contesting every election;
 - (vi) voting; and
 - (vii) generally, all matters relating to the Commission's work and the electoral process; and
- (e) making recommendations to Parliament on appropriate ways to provide public financing for political parties.

The Electoral Act provides that the Commission together with the Media Commission and the Zimbabwe Broadcasting Authority must monitor Zimbabwe news media during any election period to ensure that political parties, candidates, broadcasters, print publishers and journalists observe the provisions of this part and provide a post election report on that function.

1.2 ZEC'S VISION AND MISSION

ZEC's commitment to deliver for free and fair elections is expressed in its vision and mission statements:



VISION

We will be a centre of excellence in the management of elections and referendums.

MISSION

To prepare for, conduct and supervise elections and referendums in accordance with the laws of Zimbabwe guided by the electoral cycle and electoral management best practices in collaboration with stakeholders.

1.3 THE CORE VALUES OF ZEC



Transparency: ZEC commits to maintain an open door policy and share relevant electoral information with its stakeholders. It will build and maintain the confidence and trust of its stakeholders by undertaking its operations in an open and clear manner.



Independence: ZEC commits to carry out its mandate without any interference as provided for in the Constitution of Zimbabwe and other electoral laws.



Teamwork: ZEC commits to creating an environment that promotes and motivates a coordinated, competent, committed and interdependent Commission and Secretariat.



Impartiality: ZEC commits to treat all stakeholders in a fair manner and will execute its mandate without fear or favour.



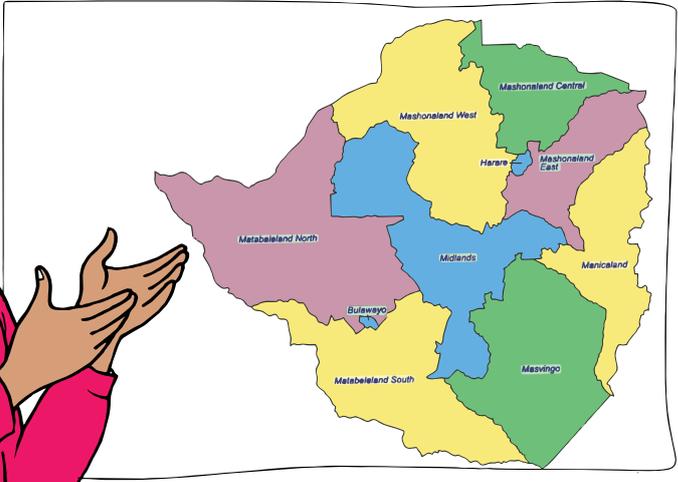
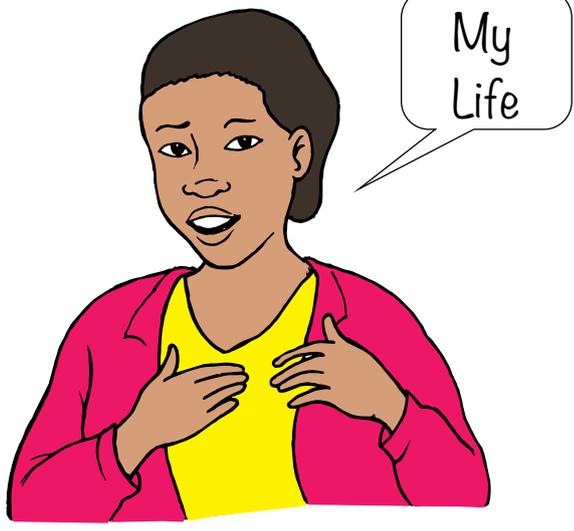
Integrity: ZEC commits to adhere to the highest standard of honesty, professionalism and uprightness at all times.

HOW ZEC IS ORGANISED



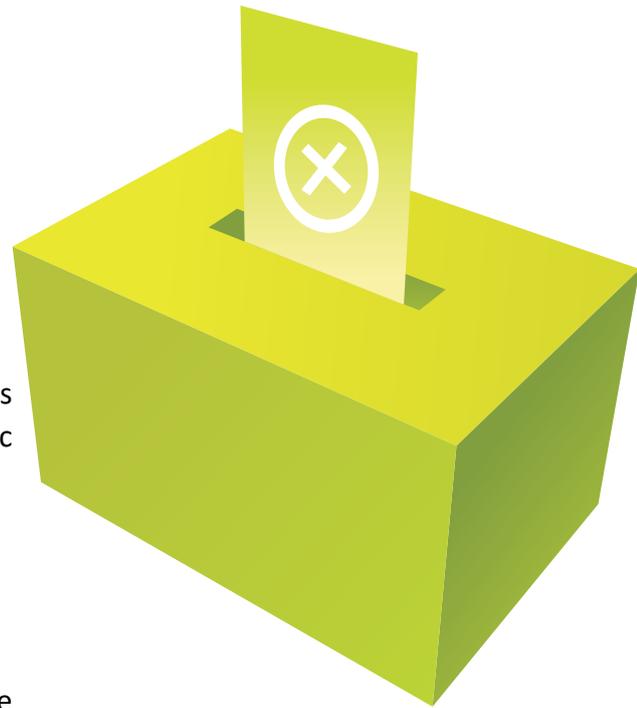
1.4 SUMMARY

Section one explains ZEC's functions, vision, mission, core values which enable it to efficiently and effectively discharge its mandate. It also outlines the structure of the Commission and establishes that ZEC is decentralised to cover provinces and districts.



SECTION TWO:

WHY VOTE?



WHY VOTE?

Voting is an individual responsibility that transforms to societal obligation, and culminates to democratic governance.

2.0 WHAT IS DEMOCRACY?

Democracy means government of the people, by the people, for the people.

Democracy allows citizens to exercise their right to freedom of choice, freedom of expression, beliefs and opinions, freedom of assembly and freedom to vote. These are important rights which must be protected and upheld by the people participating in elections. Elections are, therefore, building blocks of democracy.

By voting, citizens gain control over their lives and what happens in their communities. They have the opportunity to elect candidates who address their interests and concerns and reflect beliefs, values and wishes of the majority of the population. They also have an opportunity to remove from office, representatives who have failed to fulfill their expectations. Voting is thus a peaceful way of determining who governs. The decision you make at each election will determine your future and that of your community and country.

In a multi-party democracy as in the case of Zimbabwe, all registered voters have the right to nominate and be nominated as candidates and to vote for a candidate from any political party. (Section 67) Women, youths and people with disabilities who are normally marginalised are particularly encouraged to participate in elections.

A democratic society is therefore a society in which everyone is valued, decisions are based on consultation, leadership is accountable, resources are shared for the common good and rights are protected.



SECTION THREE:

VOTER REGISTRATION

3.1 WHAT IS VOTER REGISTRATION?

This is the process of registering voters by getting the required information from a prospective registrant which include the name, surname, address, sex, date of birth, national identity (ID) number. Since 2017 Zimbabwe introduced a technological system of registering voters called Biometric Voter Registration (BVR). The system captures registrants' facial features and finger prints in addition to the previously mentioned details.

WHY REGISTER AS A VOTER?

In order to vote, nominate a candidate or stand as a candidate, one has to be a registered voter. Your name, address and identity number should be accurately listed on the voters' roll of your ward.

WHAT IS BIOMETRICS?

Biometrics refers to the identification of humans by their unique characteristics or traits as a form of identification and access control. These include finger prints, photos, signature, etc.

WHY USE BIOMETRICS IN VOTER REGISTRATION?

The main purpose of using biometrics in the voter registration process is to prevent, duplication, multiple registrations or identity theft. It also improves the accuracy of the voter's roll.

WHAT IS THE BIOMETRIC VOTER REGISTRATION KIT?

A Biometric Voter Registration Kit is the computerised unit that captures the voter data. It comprises of a computer (laptop), fingerprint scanner and a camera.

WHAT DO I NEED TO REGISTER?

One must:

- Be a Zimbabwean citizen
- Be 18 years old or above
- Have a proof of identify by producing one of the following documents:
- A valid Zimbabwean passport,
- National Identification Card (ID) – metal or plastic, Waiting Pass with the original photograph



ACCEPTABLE PROOF OF REGISTRATION

A proof of residence is a document confirming where you live – it needs to have both your full name and your address printed on it. The document can be any one of the following:

- a) title deeds or a certificate of occupation;
- b) a lodger's permit issued by the relevant local authority;
- c) rates, water, electricity, telephone or credit store statements on which is shown your name and physical address;
- d) a statement from your landlord, parent or friend confirming that you reside at the stated place of residence accompanied by any of the documents in paragraph(a), (b) or(c) in the name of the landlord, parent, friend or such other person at whose residence you reside;
- e) a statement confirming that you reside at the stated place of residence made by the head of a school, hospital or other public institution where you reside;
- f) a statement confirming that you reside at the stated place of residence made by or on behalf of the person in whose name a mining location is registered in the area where you reside;
- g) a statement by your employer confirming your address;
- h) a confirmation letter by the relevant councillor, village head, headman or Chief confirming that you reside in the ward you claim to reside in;
- i) a confirmation letter by farm owner or resettlement officer confirming that you reside in the ward you claim to reside in;
- j) an offer letter proving that you are in lawful occupation of the land to which the offer letter relates;
- k) a hospital bill or a clinic or hospital card or an envelope with post office markings reflecting your address.
- l) If you are unable to produce any of the above documents as proof of residence, you can submit a residence affidavit stating your place of residence.

THE REGISTRATION PROCESS

1. Complete the registration form and have your identity document and proof of residence.
2. Your documents and voter registration form will be checked by the Voter Registration Officer.
3. Your data will be captured by the Voter Registration Officer.
4. Your documents and ten fingerprints will be scanned and photograph taken by the Voter Registration Officer.
5. You will be requested to verify your data on the Biometric Voter Registration Kit screen.
6. Upon confirmation you will receive a Certificate of Registration. Keep this certificate safe as a record of your registration. The following information will appear on the certificate:
 - . Surname
 - . Name
 - . ID Number
 - . Serial Number
 - . Polling Station
 - . Local Authority
 - . Ward
 - . Constituency
 - . District
7. After the registration period, there will be a Voter Registration Inspection Process where you can confirm and correct errors or omissions to your registration details. Bring your Certificate of Registration. Ensure that your name is on the Voter's Roll

3.2 WHO CANNOT REGISTER AS A VOTER?

The following people are not eligible to register as voters:

- Foreigners living in Zimbabwe;
- Persons holding dual citizenship;
- Zimbabweans who have not been continuously resident in the country for a period of more than 12 months;
- People who cannot provide national identity card, waiting pass with a photograph of the holder or valid passport;
- people without proof of residence;
- people declared mentally disordered;
- people who are declared by the High Court to be incapable of managing their own affairs – the insolvent;
- people found guilty of criminal offences who have been sentenced to a period of six or more months imprisonment;
- people convicted of electoral offences whom the High Court have declared to be disqualified for registration as voters or from voting in an election; and
- Persons expelled from Parliament are not allowed to vote for five years from the date they vacate their seats.

3.3 WHO IS RESPONSIBLE FOR VOTER REGISTRATION?

The Zimbabwe Electoral Commission has the mandate to register voters, to compile voters' rolls and registers and to ensure the proper custody and maintenance of voters' rolls and registers.

3.4 WHERE CAN ONE REGISTER TO VOTE?

Registration takes place at all ZEC provincial and district offices.

3.5 WHEN TO REGISTER

One can register throughout the year during office hours. However, to be able to vote in a specific election, one must register within a designated time for the voter registration period.

VOTER REGISTRATION CERTIFICATE

When one has registered, he/she will get a confirmation Voter Registration Certificate which they should keep safe for the verification of their registration details during the Voters' Roll Inspection process.

3.7 INSPECTION OF THE VOTERS ROLL

It is important to inspect the Voters' Roll before an election to ensure that you are on the Voters' Roll and that your details have been correctly recorded. During the Voters' roll Inspection Process you can confirm and correct errors or omissions to your registration details.

WHAT IS THE INSPECTION OF THE VOTERS' ROLL?

Inspection of the Voters' Roll is a critical step in the Biometric Voter Registration (BVR) process. It is done by registered voters to check, verify or correct their details, or transfer at their indicated polling stations on the registration certificate. The inspection period is also an opportunity for registered voters roll. A voter may object to the retention of any name on the voters' roll of the ward in which the objecting voter is registered and to the removal of his or her name from the Voters' Roll in terms of Section 33(4). This objection must be done in writing.

WHAT IS A VOTERS' ROLL?

A voters' roll is a list of registered voters. It is a document open to inspection by the public. The Voters' Roll should specify in a relation to each registered voter, his or her first and last names, date of birth and national registration number, the place where s/he ordinary resides and a photograph. It is available at the Zimbabwe Electoral Commission during normal working hours

THE INSPECTION PROCESS-IT IS EASY AND SIMPLE

1. Have your national metal or synthetic ID or a green waiting pass with original photograph, or a valid Zimbabwe passport ready;
2. Check your Polling Station on your Registration Certificate for where to inspect the Voters' Roll;
3. At the Polling Station, verify or correct errors on your personal details on the Voters Roll; and
4. You are now ready to vote

WHERE DO I GO TO INSPECT THE VOTERS ROLL?

Polling Stations shall be used as Voter Registration Centers (VRICs) for the purpose of inspection of the provisional Voters' Roll.

WHAT TIMES CAN I INSPECT THE VOTERS' ROLL?

Inspection of the Voters' roll shall be conducted from 0700hrs to 1700hrs daily for the duration of inspection.

WHAT IDENTITY DOCUMENTS CAN I USE TO INSPECT THE VOTERS' ROLL?

Registrants shall bring the following identity documents to the voter Registration Inspection Centre (VRIC):

- A metal identity card, which clearly shows one's identity number and original photograph or
- A valid Zimbabwean Passport which clearly shows ones identity number and photograph
- A Registration Certificate (if available)

WHAT HAPPENS WHEN I GO TO THE POLLING STATION FOR INSPECTION?

Upon getting to your respective Voter upon getting to your respective inspection Centre (Polling Station):

- You will present your identification document with your Registration Certification to the Inspection Officer.
- The Inspection Officer will check your details on the voters roll.
- If all is correct your registration will be endorsed into the Voters Roll.
- If incorrect, you will be given a Voter Registration Data Correction form (VRI) to complete by indicating and correcting the error.

IF MY PERSONAL DETAILS ARE INCORRECT, DO I NEED TO REGISTER AGAIN?

Your personal details can be corrected through the Voters Registration Data Correction Form (VR1). Re-registration may happen when the registrant has been verified missing from the Voters' Roll by the Inspection Officer

What happens if I do not find my name and details for inspection at the polling station indicated on my Registration Certificate?

If you do not appear on the Voters' Roll, but in possession of a registration certificate then the inspection officer shall contact the Ward Centre to establish where your name appears. If it appears the Inspection Officer shall inform you which Inspection Centre to go for Inspection if it does not appear the Inspection Officer shall advise you to go to the Ward Centre for re-registration.

AM I ABLE TO CHANGE MY POLLING STATION?

Yes you can change your polling station. You will be referred to the Ward Centre where you will complete a transfer Form (VR3) and submit with the relevant proof of identity and residence documents. The Voter Registration Officer shall issue you with a new registration certificate showing the new polling station

WHAT HAPPENS IF I LOST MY REGISTRATION CERTIFICATE?

If you have lost your Registration certificate, it is possible to inspect the Voters' Roll using any of the indicated identification documents.

WHO IS PRESENT WHEN I INSPECT THE VOTERS' ROLL FOR MY DETAILS?

The Inspection Officer will be present when you check and verify your personal details.

IF I DO NOT INSPECT THE VOTERS' ROLL, DO I STILL APPEAR ON THE ROLL AND BE ABLE TO VOTE

Yes, your name will still appear on the Voters Roll. You will be able to vote if your details are correct. Should there be an error, you will not be able to vote.

3.8 OBJECTIONS AND COMPLAINTS

3.8.1 OBJECTIONS

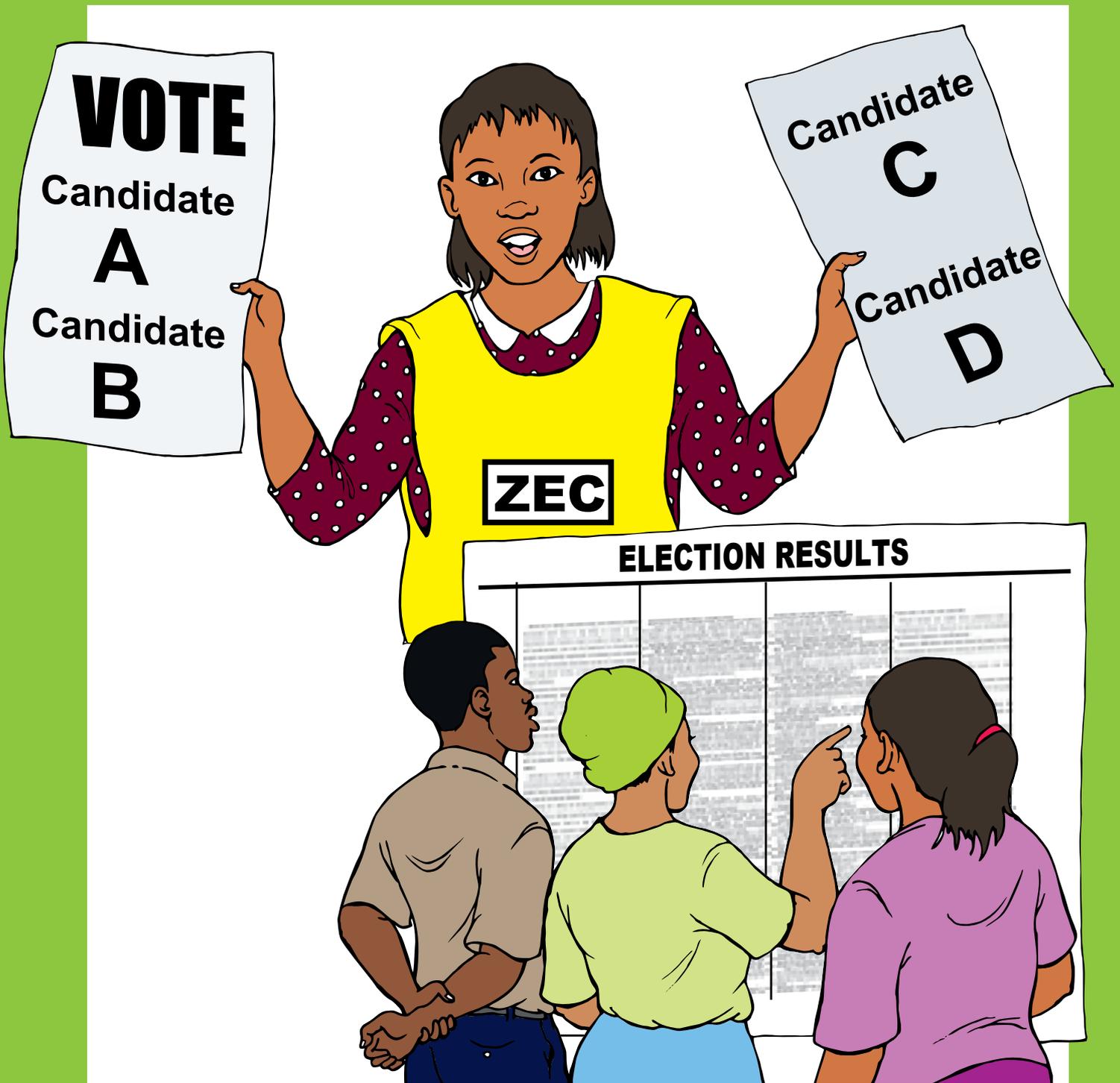
If anyone has reason to believe that a person seeking registration is not entitled to be registered, he or she can object in writing and send the written objection with reasons to ZEC.

3.8.2 COMPLAINTS

If you believe you were unfairly denied registration, you can direct your concern to ZEC officers at national, provincial and district offices. A complaint against a decision of conduct of a voter registration officer or other employee of ZEC may be lodged in the form of an affidavit with ZEC no later than 48 hours after the decision or conduct complained of. ZEC's contact details are provided at the back of this handbook.

3.9 SUMMARY

In order to vote in an election, you have to be a registered voter. Your name, address and identity number should be accurately listed on the Voters' Roll for your ward and or constituency. Zimbabweans citizens, aged 18 and above and living in ward and/or constituency in which they will vote can register as voters. Women, youth and people with disabilities who are 18 years and above are especially encouraged to register as voters.



SECTION FOUR:

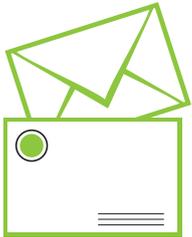
THE ELECTORAL SYSTEM IN ZIMBABWE

4.1 ELECTIONS, TYPES OF ELECTIONS AND THE ELECTORAL PROCESS.

Elections are a process of choosing leaders using laid down laws. The main types of elections held in Zimbabwe are: Presidential election, Parliamentary elections, and Local Government elections. Since the amendment (No. 18) act of the Constitution in 2007, all these elections are held on the same day, that is, they are harmonised.

4.2 NOMINATION OF CANDIDATES

After the publication of a proclamation by the President the Commission sets up Nomination courts to receive nominations for aspiring candidates. The Presidential Proclamation fixes the day or days and a place or places (including times) on which Nomination Courts shall sit for purpose of;



- a) Receiving nominations of candidates for election to the office of the President;
- b) Receiving nominations of candidates for election as a Members of Parliament; and
- c) Receiving nominations of candidates for elections as Councillors

The Electoral Act [Chapter 2:13] provides that the day for fixed polling day by the proclamation be the same for the Presidential election, members of Parliament and elections of Councillors.

NOMINATION OF CANDIDATES

This is a process that requires prospective candidates to go through the nomination court which qualifies or disqualifies one to contest in any election.

- Nominations of Presidential Candidates will be received at a single designated venue in Harare.
- Nominations of National Assembly Constituency members will be received at designated Provincial venues for all constituencies in the respective provinces.
- Nominations of party-list candidates for the Senate, National Assembly and Provincial Councils will be received at designated Provincial venues.
- Nominations of candidates for election to local authority councils will be received at designated offices of the various local authorities country-wide.

NOMINATION COURTS DATE AND TIME

The Nomination courts will be held on 14 June 2018 from 10am to 4pm.

WHO QUALIFIES FOR NOMINATION COURT?

Any person who meets the requisite qualifications.

REQUIREMENTS FOR A PRESIDENTIAL CANDIDATE

For one to be a presidential candidate one must

- Be a citizen of Zimbabwe
- Be a registered voter
- Be 40 years of age and above

For the purposes of nomination of prospective candidates, the following should be provided:

- 3 passport size photographs (full colour)
- Original birth certificate and a copy
- Original I.D. and a copy
- Nomination form signed by at least 10 nominators in each of the 10 provinces. (Nominators must be registered voters)
- Nomination fee of \$1000

NATIONAL ASSEMBLY CONSTITUENCY MEMBER REQUIREMENTS FOR NOMINATION

For one to be a Constituency National Assembly Candidate he or she must:

- Be a citizen of Zimbabwe
- Be a registered voter
- Be 21 years of age and above

For the purposes of nomination, prospective candidates should provide the following:-

- 3 passport size photographs (full colour)
- Original birth certificate and a copy
- Original I.D. and a copy
- Nomination form signed by at least 5 nominators registered in the contested constituency.
- Nomination Fees of \$50
- The prospective candidates should not have been convicted of any electoral offence(s) in the last 5 years
- A candidate is not disqualified for election in terms of paragraph 2 of the fourth schedule to the new constitution and Section 129 (1) i
- 2 signed copies of the code of Conduct of Political parties and candidates

COUNCILLOR REQUIREMENTS FOR NOMINATION

For one to be a Local Authority Candidate he or she must:

- Be a citizen of Zimbabwe
- Be a registered voter
- Be 21 years of age and above

For the purposes of nomination, prospective candidates should provide the following:

- 3 passport size photographs (full colour)
- Original birth certificate and a copy
- Original I.D. and a copy
- Nomination form signed by at least 5 nominators registered in the ward to be contested
- A candidate is disqualified for election as Councillor if he or she was convicted of an offence involving corruption and dishonesty

All candidates representing political parties must have their nomination forms signed by political party designated office bearers

NB: Contesting local authority candidates are not required to pay nomination fees.

QUALIFICATIONS FOR PARTY – LIST POSITIONS

1. Senate
 - 40 years +
 - Registered within the Province
 - Nomination fees is \$100 per party list
 - Provide 3 passport size photos per candidate (full colour)
2. National Assembly Women’s Quota
 - 21 years +
 - Registered within the Province
 - Nomination fees is \$100 per party – list
 - Provide 3 passport size photos per candidate (full colour)
3. Provincial Council
 - 21 years +
 - Registered within the Province
 - Nomination fees is \$100 per party – list
 - Provide 3 passport size photos per candidate (full colour)

A PROSPECTIVE CANDIDATE MUST NOT BE DISQUALIFIED

- Under the Fourth Schedule of the constitution from registration as a voter.
- In terms of Section 119 (2) of the electoral Act

PARTY-LIST NOMINATION PAPERS

A Party contesting one or more National Assembly Constituency seats in a province may submit nominations for party-list seats.

Metropolitan provinces of Bulawayo and Harare do not submit candidates for Provincial Council.

All party-list must adopt the zebra format of having alternating female and male candidates, with a female candidate always at the top of the list except for National Assembly women's quota.

Senate Party-List: 6 candidates alternating female and male; female heading the list

National Assembly: 6 female candidates

Provincial Council: 10 candidates alternating female and male; female heading the list

CODE OF CONDUCT OF POLITICAL PARTIES AND CANDIDATES

- All candidates to provide two signed copies of the code of conduct of political parties and candidates

PARTY – LIST CANDIDATES DISQUALIFICATION

- Contesting for multiple positions
- Being nominated by more than one political party

ADVANCE FILING OF PARTY-LISTS

Nomination papers may be submitted at provincial offices after proclamation of the Election Dates up to two days before the sitting of the Nomination Court. Political parties may file their papers in advance to the Provincial Elections Officers for all provinces

Applications for nominations which do not meet this framework will not be accepted by the nomination court.

The following symbols must not be used as political party symbols in terms of section 46 of the Electoral Act

- | | |
|--------------------|----------------------|
| 1. A lion | 9. A griffon |
| 2. A bird of prey | 10. A cobra |
| 3. A rhinoceros | 11. A secretary bird |
| 4. A laurel wreath | 12. A flaming torch |
| 5. A leopard | 13. An axe |
| 6. A cheetah | 14. An elephant |
| 7. An owl | 15. A buffalo |
| 8. A sword | 16. A flame lily |

What if	Action prescribed by law
Two or more candidates are nominated to contest	Elections will go on as it appears in the election timetable
One candidate is nominated in a Constituency	The only candidate will be declared winner. No elections will be held.
A nominated candidate dies before polling day after nomination	There will be no election in the constituency. Fresh elections will be arranged.
No candidate is successful in the Constituency. Has been nominated successfully.	No election will go on. Fresh elections will be arranged.
A nominated candidate resigned before the election.	If only one candidate remains he or she will be declared duly elected. If two or more candidates remain an election will go on as an election timetable. However the withdrawal must be brought to the attention of voters in the constituency and the name of the candidate who has drawn is either omitted or deleted from all the ballot papers

4.3 ELECTORAL SYSTEMS

There are three electoral systems that are used in Zimbabwe, the First-Past-the-Post, Proportional Representation and the Absolute-Majority systems.

4.3.1 FIRST-PAST-THE-POST

This is also referred to as “winner takes all” electoral system. It is used in the election of elective members of the National Assembly and elective Councilors. In each of these elections the person who receives the greatest number of votes is declared duly elected. (See table 1 below)

TABLE 1

Winner takes all

Name of candidate	Number of Votes received	Percentage of votes received
Candidate A	300	40%
Candidate B	350	47%
Candidate C	100	13%

In Table 1, candidate B is declared the winner because he/she has the greatest number of votes.

In the above of example, candidate B is declared the winner because he/she has the greatest number of votes.

If two or more candidates receive an equal number of votes, Section 129 of the Electoral Act [Chapter 2:13] provides that after completion of vote counting, the Chief Elections Officer shall within five (5) days of close of voting declare that a runoff by-election shall

be held on the same day as the Presidential runoff (in a case where it would have become necessary to hold a presidential run-off). The date of the runoff by operation of law shall not be less than twenty-one and not more than sixty-three days after the polling day or last polling day, as the case may be, of the original election date. Only candidates with the highest number of valid votes cast and that are tied shall be eligible to contest the runoff by-election.

The runoff by-election shall be held in terms of the Electoral Act. Where there is a tie again after the runoff by-election, Parliament shall, as soon as practicable after meeting as an electoral college and elect one of the two candidates as member of the National Assembly for the constituency concerned by secret ballot and without prior debate. The Chief Elections Officer shall declare the winner not later than five (5) days after close of voting.

4.3.2 PROPORTIONAL REPRESENTATION

Proportional Representation (PR) characterizes electoral systems by which divisions into an electorate are reflected proportionately into the elected body. If n% of the electorate support a particular political party, then roughly n% of seats will be won by that party. The essence of such systems is that all votes contribute to the result: not just a plurality, or a bare majority, of them.

ELECTIONS THROUGH THE PROPORTIONAL REPRESENTATION SYSTEM

According to the Constitution of Zimbabwe, 60 National Assembly seats are reserved for women, 60 Senatorial and 10 persons on each Provincial Council are elected on the basis of proportional representation. Of the 60 seats reserved for the National Assembly women and 60 Senatorial seats, six will come from each of the country's 10 provinces.

After determining the number of votes cast for each of the candidates, the provincial election officers will come up with a quota by dividing the total number of votes by the number of seats being contested, which are six in the senate and six in the national assembly and 10 in the provincial council. This is done after ascertaining the total number of votes.

Each political party will then be allocated a seat for each number of votes that constitute the quota in the first stage while in the second stage seats will be allocated to a political party with the greatest number of unallocated votes.

Proportional representation [Section 124(1) (b)]-apply to the selection of three different categories of representatives in terms of the constitution [Section 120(1) (a)]. For the first ten years after the new constitution comes into force, there will be:

60 seats in the National Assembly reserved for women members, six seats for each of the 10 provinces.

60 Senators PR, 6 from each of the 10 provinces

80 Provincial councils 10 from each province

Each provincial council will have 10 members elected by proportional representation [Section 268(1) (h)]. Only 8 provinces have the provincial council (excludes 2 metropolitan provinces)

All these elections are based on the votes cast for constituency candidates [i.e. candidates standing for election in a National Assembly constituency] in the province concerned.

So when a voter casts a vote for a particular candidate who is standing for election in a National Assembly constituency, that one vote will be counted in four separate elections:

1st, the election of the constituency candidate for whom the voter actually cast his or her vote.

2nd, the vote will count towards the election of one of the women candidates put forward by the party whom the constituency candidate represents.

3dly the vote will count towards the election of one of the six Senators whom the constituency candidate's party has listed for election to the Senate in the province.

4thly, the vote will count towards the election of the party's candidates in the provincial council election in the province (except for the 2 metropolitan provinces)

For the 60 national assembly seats, the provincial election officer will determine the quota by dividing the total number of votes cast for the participating parties by the number six (the number of seats) after which the number of votes cast for each of the remaining political parties is divided by the quota to determine the number of seats to be provisionally allocated to each party and to ascertain the number of votes which remain unallocated.

If after the allocation of seats from the division of the votes cast by the quota, less than 10 seats have been allocated, the provincial election officers will allocate the remaining seats to the parties with the highest number of unallocated votes.

Unallocated votes are the remainder that comes up after dividing the votes cast for each political party by the quota. Suppose, for example that three parties are contesting the election and the results of this division are as follows:

Example

Total number of valid votes in the province-18 000

Quota= $(18\ 000)/6 = 3\ 000$

Party A: $12\ 000 - (12\ 000)/(3\ 000) = 4.0$

Party B: $5\ 000 - (5\ 000)/(3\ 000) = 1.6$

Party C: $1\ 000 - (1\ 000)/(3\ 000) = 0.3$

The seats are first allocated according to the whole numbers shown in these results, so party A will get 4 seats and party B will get one. 5 of the six seats have therefore been allocated, leaving one to go.

PRESIDENTIAL ELECTION BY ABSOLUTE MAJORITY

A Presidential candidate must be at least 40 years of age and above. In the election of the President the absolute majority system is used. A candidate must receive at least 50% of the votes plus one (50% +1 vote) nationally to be declared a winner.

4.3.3 RUN-OFF ELECTION

If no candidate receives an Absolute Majority in a Presidential election then, there will be a run-off election between two candidates who received the greatest number of votes in the first election.

TABLE 2

Run-off Scenario

Name of candidate	Number of Votes received	Percentage of votes received
Candidate A	500	10%
Candidate B	1250	25%
Candidate C	1000	20%
Candidate D	2250	45%

In the above table, no candidate has won the first election and a presidential runoff election will be held between candidate B and candidate D.

In the event of a run-off election producing an equal number of votes among the candidates, Parliament must as soon as practicable meet as an Electoral College and elect one of the two candidates as President by secret ballot and without prior debate.

4.4 BY-ELECTIONS

A by-election is an election which is organized to fill a vacancy at the local authority and National Assembly levels. The vacancy might arise as a result of expulsion, resignation, or death of a member in between general elections or as a result of duly nominated candidates dying before the election. A vacancy may arise in the National Assembly or in the Senate where a member who was elected into office as a member of one political party ceases to belong to that political party.

A vacancy may also occur when a sitting member of the National Assembly or of the Senate is appointed to a higher post such a Speaker of the House of Assembly, President of the Senate, Ambassador or Judge.

The law requires the President to issue a Proclamation calling for a by-election within 14 days after he/she is notified of the vacancy by the or Speaker of the National Assembly.

In the case of a vacancy occurring in the Local Authority, the Chief Executive Office notifies ZEC who in turn fixes a day on which the by-election shall take place not less than 35 days or more than 90 days after the date on which the vacancy occurred.

For the Senate, the vacant seat is filled by resorting to the next person in order.

4.5 LOCAL AUTHORITIES

Local authorities comprise both the Urban and Rural District Councils. These are run under the same direction of Councilors. Councils can be made up of those elected Councilors and Councilors appointed by the Minister responsible for Local Government to represent special interests.

4.6 PARLIAMENT

In Zimbabwe, the Parliament comprises the National Assembly and the Senate. All Members are referred to as Members of Parliament (MPs).

4.6.1 HOUSE OF ASSEMBLY

The National Assembly is made up of 210 members elected in the 210 constituencies on the basis of the First-Past-The-Post Electoral System and 60 women chosen through the party-list system.

4.7 REFERENDUMS

A Referendum is a process of getting the views of voters on an issue of national importance. Voters do this by indicating through secret ballot whether or not they agree with the question that has been put to them. An example of a referendum is one in which the people are asked to vote on whether to approve or not approve a draft constitution. They do this by voting YES or NO. A YES vote will give Parliament the mandate to act on the draft into a new National Constitution. A NO vote means the draft constitution has been rejected.

4.8 THE ELECTORAL PROCESS IN ZIMBABWE

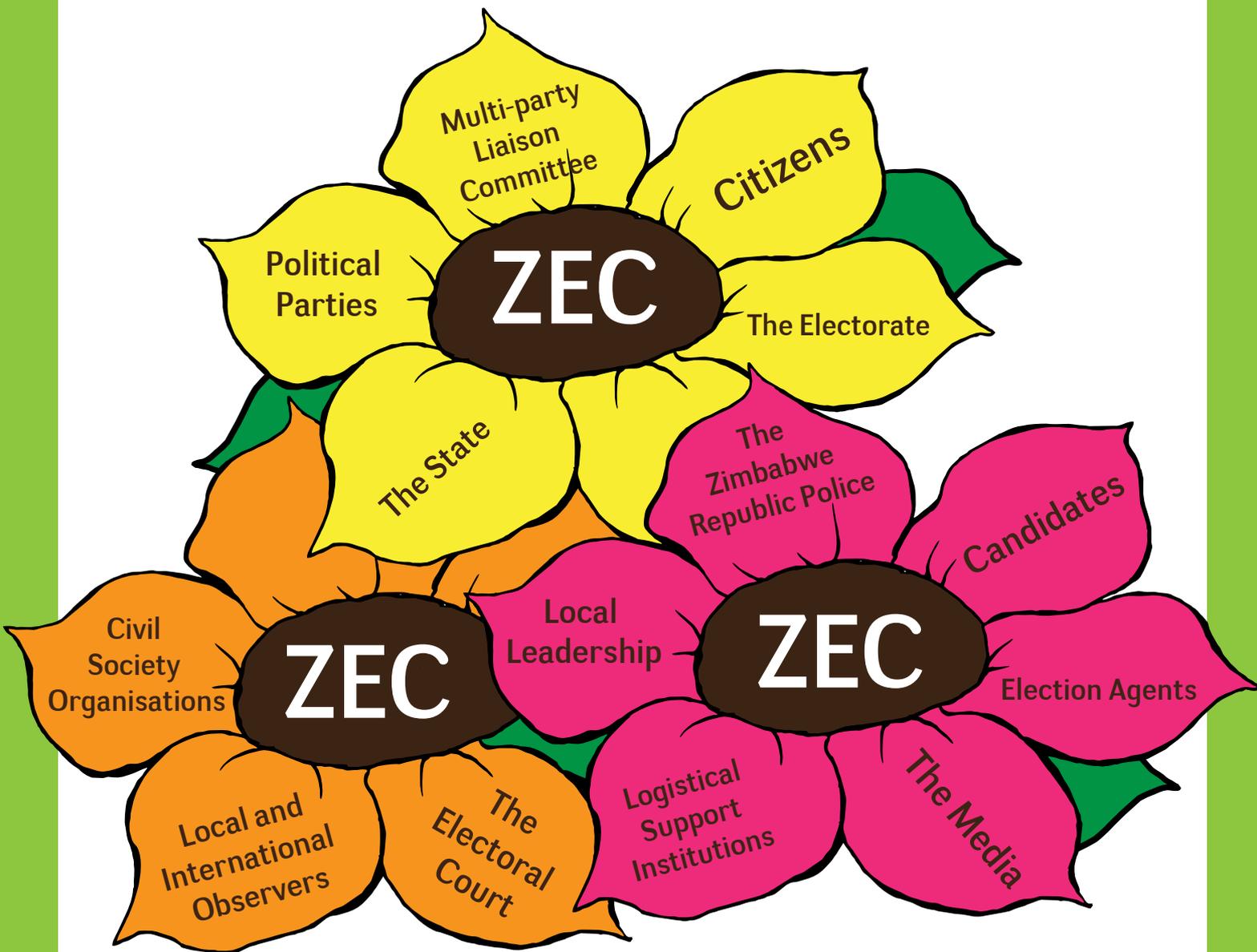
The electoral process refers to a series of steps involved in the preparation and conduct of an election. The process must be carried out in accordance with the laws, procedures and regulations governing such an election. The laws, procedures and regulations spell out how the election is to be conducted by the commission, the rights and responsibilities of voters, political parties, candidates, election agent, observers and the media.

4.8.1 ACTIVITIES IN THE ELECTORAL PROCESS

- Continuous voter education;
- Continuous voter registration;
- Delimitation of constituencies and wards;
- Inspection of the voters roll;
- Proclamation of election date;
- Nomination of candidates;
- Political campaigns;
- Polling;
- Verification, counting, collating, and announcement of results;
- Declaration of winner;
- Appeals; and
- Disposal of election residue

4.9 SUMMARY

Section four outlines the setting of nomination court and the electoral system involved in elections of the President, Members of the National Assembly, Senators and Local Authorities. It also explains the holding of a referendum. A citizen who is well informed on the electoral process is in a better position to exercise his/her rights and responsibilities.



SECTION FIVE:

PLAYERS IN THE ELECTORAL ACT

5.1 PLAYERS IN THE ELECTORAL PROCESS AND THEIR RESPONSIBILITIES

Section five defines the roles and responsibilities of the various stakeholders in the electoral process. Key players include all citizens, registered voters and often referred to as electorate, the Zimbabwe Electoral Commission (ZEC) Registrar General (RG), political parties, candidates, election agent, logistical support institutions, local leadership, the police, the media, civil society organisations, observers and service providers.

5.2 CITIZENS

A citizen is a person who enjoys the rights, privileges and benefits bestowed by the Republic of Zimbabwe and is always entitled to the protection of the State. Zimbabwean citizenship is acquired by birth, descent and registration. Citizens in general have the following responsibilities:

- To uphold, abide and respect the Constitution and Laws of Zimbabwe.
- To the best of their ability, defend Zimbabwe in time of need.
- To uphold and defend National democratic ideals for example, respect of the national flag and national anthem.

5.3 THE ELECTORATE

The electorate is citizens of Zimbabwe who are qualified to vote in elections, that is, they are aged 18 years and above and is registered as voters. Their responsibilities of the electorate include the following:

- To nominate candidates for election into elective post;
- To stand as candidates for election into elective post;
- To vote freely for their representatives in Parliament and Local Authorities;
- To decide on important national issues for example in a referendum for a new constitutional;
- To influence policy is through lobbying and advocating and also through their representatives and
- To inspect the Voters' Roll from time to time and advise the registrar on any transfers should there be a change in their address or of people who should not be on the Voters Roll.

5.4 THE STATE

The state has responsibilities to:

- Create an enabling framework that ensures and promotes the conduct of elections and referendums and other election related activities in a free, fair, and credible manner;
- Provide adequate financial and material resources to the Commission for the efficient and effective discharge of its mandate;
- Guarantee the holding of elections when they are due as provided for by the law;
- Provide for and/or regulate the funding of political parties;
- Guarantee the separation of powers between the arms of the State to ensure checks and balances; and
- Create an environment that is conducive to the exercise of political rights by the citizens.

5.5 THE ZIMBABWE ELECTORAL COMMISSION (ZEC)

ZEC is the only body that is established through the provision of the Constitution of Zimbabwe to manage the electoral process. ZEC is mandated to:

- Prepare for elections and referendums;
- Supervise, direct and control the registration of voters through the Registrar General of Voters;
- Register voters;
- Compile Voters' Roll and registers;
- Maintain the Voters' Roll and ensure its safe keeping;
- Conduct voter education;
- Set limits of boundaries of wards, National Assembly in consultation with stakeholders;
- Site polling stations in consultation with stakeholders;
- Design, print and distribute ballot papers;
- Monitor the media during the election period;
- Establish multi-party liaison committee;
- Engage electoral personnel;
- Conduct the nomination of candidates;

- Accredit observers;
- Conduct and supervise elections and referendums;
- Verify, count and collate result of an election or referendum; and
- Announce results of an election or referendum.

5.6 REGISTRAR GENERAL

The department is essential in validating quarries relating to citizens' proof of identification during the verification and cleaning of the Voters' Rolls.

5.7 POLITICAL PARTIES

- Provide and field candidates who contest the elections through the ballot;
- Conduct political activities guided by a Code of Conduct for political parties and candidates that is:-
 - o Campaign peacefully for the running candidates;
 - o Tolerate divergent views; and
 - o Desist from hate speech, intimidation and violence.
- Cooperate with ZEC;
- Participate in multi-party liaison committees;
- Conduct voter education;
- Advise and seek clearance from the police to hold rallies and other meetings outside their offices;
- Appoint election agent during elections;
- Accept poll results whether a candidate has won or lost an election; and
- Seek a legal recourse from a relevant court if not satisfied with the electoral outcome or any aspect of the electoral process.

5.8 MULTI-PARTY LIAISON COMMITTEES

ZEC sets up and chairs these committees at national, constituency, and local authority levels as for:

- Hearing and attempting to resolve any disputes, concerns, matters or grievances related to the electoral process, including, in particular, any dispute arising from allegations concerning non-compliance with the political parties and candidates code of conduct;

- In the case of a national multi-party liaison committee, delegating any of its functions to a Multi-party Liaison subcommittee;
- Monitoring, supervising and directing the activities of multi-party liaison subcommittees;
- Requesting the commission to mediate or appoint an independent mediator to resolve any dispute, concern, matter or grievance relating to the electoral process within a reasonable time frame.
- Presenting to the Commission any reports, assessments, records, or recommendations relating to the electoral process;
- Generally assisting in implementation the code of conduct of political parties and candidates; and
- The decisions of the Multi Party liaison Committee will be made by consensus.

5.9 INDEPENDENT COMMISSIONS

5.9.1 GENDER COMMISSION

To ensure inclusion of women and development of systems and processes that allow participation on women and other disadvantaged societies in the electoral process.

5.9.2 HUMAN RIGHTS COMMISSION

Ensures the respect and protection as well as fulfillment of human rights in all electoral processes

5.9.3 PEACE AND RECONCILIATION COMMISSION

Encourages peace before, during and after elections

5.9.4 MEDIA COMMISSION

Ensures that the media fraternity adheres to the media code of conduct and reports positively and responsibly during elections

5.10 CANDIDATES

Candidates may either be chosen by political parties or stand as independent (not representing any political party). Their roles are to:

- Represent the interests of their constituencies;
- Represent the interests of their political parties;
- Submit the papers to the nominations court as guided by law;
- Campaign peacefully without intimidation, hate speech and/or violence;
- Conduct election activities as guided by the electoral law and the code of conduct;

- Accept poll results whether a candidate has won or lost an election; and
- Seek legal recourse from a relevant court if not satisfied with the electoral outcome or any aspect of the electoral process.

5.11 ELECTION AGENTS

- Witness the electoral process on behalf of their political parties and candidates;
- Report any irregularities during an election period to the Commission;
- Endorse the accuracy of election results through signature; and
- Accompany election materials during an election period

5.12 LOGISTICAL SUPPORT INSTITUTIONS

These are mainly government agencies and departments that assist ZEC with logistics during an election. They include:

- The Ministry of Local Government, Rural and Urban Development administer the Urban Councils Act and Rural District Councils Act. It facilitates the provision of office accommodation to ZEC in the provinces and districts, access to infrastructure such as community halls, schools and open spaces to be used as polling stations. Through Provincial and District Administrators, the Ministry also facilitates access to traditional leaders who are a link to communities in which voter education and outreach programs are carried out. Urban and Rural District Councils also provide office accommodation to be used during setting of Nomination Courts;
- The Ministry of Education, Sport, Art and Culture facilitate the provision of schools for use as polling stations;
- The Ministry of Justice and Legal affairs administers the Electoral Act and ZEC Act which guide the conduct of elections and also facilitates the provision of Nomination Courts. The Ministry also facilitates the invitation of local observers;
- The Ministry of Constitutional and Parliamentary Affairs administers the Referendums Act which guides the conduct of referendums;
- The Central Mechanical Equipment Department (CMED) facilitates the provision of transportation of human and material resources to ZEC as and when required;
- The Public Service Commission (PSC) provides some of the personnel to serve as ZEC electoral officers as and when needed;
- The Zimbabwe Electricity Supply Authority (ZESA) provides electricity that is critical in the electoral process;

- The Ministry of Transport and Communication construct and maintain the roads that facilitate the operation of ZEC;
- The District Development Fund (DDF) constructs and maintains the roads that facilitate the operations of ZEC. It also provides water and storage facilities;
- The Ministry of Public Works provide infrastructure required for ZEC activities. It also gives logistical support to ZEC such as pitching of tents used doing the electric process;
- There Zimbabwe National Water Authority (ZINWA) provides water as and when required by ZEC;
- The Ministry of Health and Child-Welfare provide health care services and facilities to ZEC as and when required;
- The Ministry of Foreign Affairs facilitates the participation of foreign observers;
- Tel-one provides communication facilities that are key to the operations of ZEC;
- There Zimbabwe Media Commission facilitates the accreditation of journalists by ZEC during the election and, in conjunction with the Broadcasting Authority of Zimbabwe (BAZ) assist ZEC in the monitoring of print and electronic media during an election period.

5.13 LOCAL LEADERSHIP

This includes Chiefs, Headmen/women, Village Heads, Councillors and Church Leaders:

- They help to resolve conflict, encourage maintenance of peace, tolerance and harmony, as well as preservation of good spiritual, moral, cultural and traditional values;
- They provide proof of residence to eligible voters residing in the rural areas and to enable them to register;
- They participate in the consultations in the setting up of wards and constituency boundaries; and
- Provide infrastructure upon request by ZEC.

5.14 THE ZIMBABWE REPUBLIC POLICE

A safe and secure environment is conducive to the effective and efficient operations of ZEC. In this regard the Zimbabwe Republic Police (ZRP) provides the following services:

- Security to people and property;
- Maintains peace and order;
- Alternative communication systems during elections and referendums in the event of systems failure by other networks;
- Security to ZEC during the electoral process;
- Co-opted into multi-party liaison committees;
- Logistical support as members of the Elections Logistics Committee;
- Clearance of the holding of political party rallies and meetings.

5.15 THE MEDIA

These comprise print and electronic media. Print media include newspapers, magazines, newsletters, pamphlets, posters and flyers. Electronic media include radio, television, Internet and mobile phones. Expectations of the media include:

- To supply accurate information on and from ZEC;
- To provide society with information in an accurate, impartial and fair manner;
- To provide fair and equitable coverage of the activities of all political parties,
- The public broadcaster must:
 - o Ensure that all contesting political parties and candidates are treated equitably in the allocation of airtime for the broadcasting of election matter.
 - o During an election period, allocate advertising airtime on television and radio to political party or candidate contesting in an election upon payment by the party or candidate of the amounts stipulated by the broadcaster for the broadcasting of election advertisements generally;
 - o The public broadcaster shall be guided by the regulations governing its operations during elections.

5.16 CIVIL SOCIETY ORGANISATIONS

These are non-state actors that represent a special interest groups and play a complementary role in the provision of services by the Government. The functions include;

- Disseminating information to the public;
- Providing support to ZEC by mobilising citizens to participate in the electoral process;
- Carrying out voter education under the authority and supervision of ZEC;
- Observing elections when accredited and making recommendations towards the improvement of the electoral process;
- Helping to build a vote of confidence in ZEC and in the whole electoral process;
- Monitoring the operations of political parties, the media and other stakeholders to encourage the upholding of the rule of law, human rights and fair news coverage;
- Providing financial and technical support to ZEC when asked to do so; and
- Operating within the confines of the law.

5.17 LOCAL AND INTERNATIONAL OBSERVERS

Accredited of observers enrich the electoral process by

- Observing the preparations for elections and political campaigning after proclamation;
- Observing the voting, counting and announcement of results processes;
- Reporting any irregularities in the polling process to the presiding officer or constituency election Officer;
- Gathering and documenting information for the observer missions' report;
- Assessing whether the elections were free, fair and credible; and
- Submitting the observation report with recommendations to the Commission

5.18 THE ELECTORAL COURT

The Electoral Court is a special court which has the same status as the High Court on electoral matters. Its responsibility is to hear and determine election petitions and other matters in terms of Electoral Act.

5.19 SUMMARY

Section five highlights that an election or referendum is a process that involves the corporation of many people and institutions. It is therefore imperative that all of these players cooperate towards the delivery of free, fair and credible elections, an important building block of democracy.

CONDITIONS FOR FREE AND FAIR ELECTIONS.

- Ability to register.
- Ability to vote
- Right to result of vote
- Right to conducive environment



SECTION SIX:

CONDITIONS FOR FREE AND FAIR ELECTIONS

6.1 FEATURES OF FREE, AIR AND CREDIBLE ELECTIONS

In a democratic society people exercise their right to vote regularly in free and fair elections. Features of such elections include the following:

- Peaceful coexistence and tolerance and respect of different political opinions;
- Freedom to vote in secrecy for persons and/or political party of one's choice without intimidation, bribery, violence or coercion;
- Freedom to participate in all electoral activities;
- Freedom of association and assembly;
- A level playing field where all political parties and candidates are able to fairly compete in an environment that is free from violence, intimidation and hate speech;
- Equitable access to public media and by political parties and candidates;
- Fair coverage of political parties and candidates by mass media;
- An efficient, transparent, impartial, independent and effective electoral management body;
- Provision for mechanism for resolving election related conflicts. For example provision of an electoral court; and
- Provision of a legal framework that is conducive to the conduct of free, fair and credible elections



6.2 FREE AND FAIR ELECTIONS

In free and fair elections, voters should be able to express their choice without fear or intimidation. Elections should be conducted transparently and with integrity.

Free elections	Fair elections
<ul style="list-style-type: none">• Voters expressed their choices of political parties and candidates freely.• Political parties and candidates campaign and assemble for meetings and rallies freely and peacefully.• People are free to associate with political parties of that choice without fear or intimidation.• Political parties and candidates have equitable access to the public broadcaster.• The election process is free of violence and intimidation.• Voters exercise the right to vote in secret.• The electoral process should be subject to scrutiny by stakeholders.• Funding of political parties.• Provision of a legal framework that is conducive to the conduct of free, fair and credible elections.	<ul style="list-style-type: none">• Registration of voters is carried out professionally and transparently.• The Voters' Roll is accessible for inspection to all stakeholders.• Aspiring candidates and the public are able to access the nomination courts.• Electoral bodies are set up in the consultation with relevant stakeholders in a transparent manner.• A comprehensive voter education programme.• Voting, counting and timeous announcement of results in the presence of candidates, election agents and observers.

The above are buttressed by internationally accepted standards of what constitutes free and fair elections, as defined in the following:

- The Southern African Development Community (SADC) Principles and Guidelines Governing Democratic Election,
- The African Union (AU) Charter on the Elections and Democracy
- SADC-ECF and the Electoral Institute for Sustainable Democracy in Africa (EISA) Principles on Elections Management Monitoring and Observation (PEMMO).



6.3 THE RIGHTS OF CITIZENS

In a democratic society, the rights of citizens aged eighteen years (18) and above must be upheld. These include the right to:

- Register as a voter;
- Vote in secrecy;
- Nominate and/or stand as a candidate;
- Join and/or form a political party;
- Express political views;
- Seek, receive an impart information on elections;
- Move freely within the country;
- Campaign freely;
- Security of self and property; and
- The protection of the law and remedy for violations of political and electoral rights.

6.4 THE ELECTORAL CODE OF CONDUCT FOR POLITICAL PARTIES AND CANDIDATES

Zimbabwe has an Electoral Code of Conduct for Political Parties and Candidates to govern their conduct during the election period. Political parties and candidates may be persuaded to sign the Code of Conduct to underpin their commitment to it. Below is an extract of the Code of Conduct as provided for in the Electoral Act:

The purpose of this code is to promote conditions that are conducive to free and fair elections and a climate of tolerance in electioneering activity may take place without fear or coercion, intimidation or reprisals.

Every political party and candidate must comply with this Code and must take reasonable steps to ensure compliance by their supporters. In case of a political party, it must instruct its candidates, persons to hold office in the party and its representatives, members and supporters to comply with this Code and any applicable electoral laws. In the case of a candidate, he/she must instruct his/her representative's and supporters to comply with this Code and any applicable electoral laws.

PUBLIC COMMITMENT

Every political party candidate and every candidate must-

- a) Give wide publicity to this code;
- b) Publicly state that everyone has the right to:
 - i. Freely express their political beliefs and opinions;
 - ii. Challenge and debate the political beliefs and opinions of others;
 - iii. Canvass freely for membership and support from voters;
 - iv. Attend public meeting is convened by others;
 - v. Distribute campaign material;
- c) Publicly condemn any action that may undermine the free and fair conduct of elections; and
- d) Accept the result of an election or challenge the result by due process of law.

DUTY TO COOPERATE

Every political party and candidate must cooperate:

- a) With other parties to minimise the risk of electoral related conflict; in particular, they must endeavour not to call public meetings, marches or rallies that coincide with those called by another party or candidate contesting the election;
- b) With the election authorities to protect and enhance their role to supervise and administer elections; and,
- c) With law enforcement officers is to maintain peace during the election period.

PROHIBITED CONDUCT

No political party, candidate, member or supporter may –

- a) Harm or threaten to harm others participating in an election;
- b) Use language or act in a way that may provoke violence or intimidation;
- c) Publish false or defamatory allegations about a party, its candidate(s), representatives or members;
- d) Discriminate on the grounds of race, ethnicity, sex, gender, class or religion in connection with an election or political party;
- e) Damage or deface property, including the election posters, placards, banners and other election material of another party or a candidate;
- f) Bar inhibit access to meetings or to voters for the purpose of election campaigning;
- g) Carry or display weapons at political meetings or at marches, demonstrations, rallies or other public political events;
- h) Bribe or threaten a voter to vote for a particular candidate;
- i) Force a voter to reveal the identity of the candidate voted for;
- j) Disrupt the work of election offices at a polling station or counting centre; and
- k) Campaign or display campaign materials within 200 meters of a polling station or counting centre.

In the Electoral Act, intimidation is regarded as a serious offence punishable by imprisonment for up to 5 years. Electoral offences are dealt with in a variety of ways.

6.5 MULTI-PARTY LIAISON COMMITTEES (MPLCS)

After the close of the nomination courts, the Commission is required by the law to set up Multi-party Liaison Committee (MPLCs). The responsibilities of the MPLCs are dealt with in Section 5.

THE NATIONAL MULTI-PARTY LIAISON COMMITTEE CONSISTS OF:



The National Multi-party Liaison Committee is given the function of establishing Multi-party Liaison Sub- Committees in each province. It can delegate any of its functions to these subcommittees, but it must monitor, supervise and direct activities.

ZEC must also establish:

- Constituency Multi-party Liaison Committee for each constituency in which the election is contested; and,
- A local authority Multi-party Liaison Committee for each Local Authority area in which the election is contested.

A constituency Multiparty Liaison Committee consists of:

- A representative of each political party contesting the election, who shall be selected by the party or candidate concerned;
- 2 representatives of an independent candidate contesting the Presidential election; and,
- Any person invited by the representatives of every political party represented in the committee

A local authority Multiparty Liaison Committee consists of the same composition as a constituency Multi-party Liaison Committee except that it has one representative of an independent candidate contesting a Presidential election.

6.6 THE PREVENTION OF POLITICAL VIOLENCE

Violence can be prevented and conflicts resolved through the Multi-Party Liaison Committees assisted by ZEC and other institutions that include the following:

- Joint Monitoring and Implementation Committee (JOMIC) as defined in the Global Political Agreement (GPA);
- Organ on National Healing Reconciliation and Integration (ONHRI) as defined in the Global Political Agreement (GPA) document;
- The Zimbabwe Human Rights Commission; and
- The Zimbabwe Republic Police.

To complement the work of these institutions: – traditional leaders, church leaders, the media, civil society organisations and citizens should play a role in preventing political violence, resolving electoral conflicts and promoting tolerance and peace.

6.7 SUMMARY

Section six highlights that the freeness and fairness of elections cannot be judged on the basis of only one aspect of the electoral process. It is a combination of factors within society and the responsible operations of various stakeholders.

