



Factsheet

Support to Democratic Elections

Elections: Key to Democratic Governance

The Good Governance Programme supports civil society organisations (CSO) in a number of thematic priorities, all geared towards good democratic governance. Improving the dialogue between CSOs and state institutions and contributing to national governance reforms constitutes the focus of its work.

Since 2006 the Programme has been addressing support for voter education campaigns, voter registration and election monitoring at national and sub-national level. The supported partner organisations are engaged in the election cycle at various points not only focusing on the Election Day itself but educating and mobilising voters in the run-up, monitoring the process and conducting surveys on the very day and writing summary reports and recommendations in the aftermaths.



Electoral commission of Zambia (ECZ) is watching: Sealed ballot boxes

Presidential and Parliamentary by-elections

As a result of the demise of President Levy Patrick Mwanawasa, the Zambian people eligible to vote were asked to decide on the future President in October 2008. Supporting ten CSOs in undertaking voter education

during the run-up to the presidential by-elections reflects visibly the work of the Good Governance Programme. 2009 saw by-elections for parliamentary seats where the Programme facilitated support to CSOs specialised on the electoral process.

Though the role of voter education in Zambia is part of the work of the Electoral Commission of Zambia (ECZ), various underlying gaps in the system have led to CSOs being actively involved in this sphere over the past years. The most critical of these factors is the constitution. By granting what observers call “excessive powers to the sitting government (President)”, the general idea of separation of powers, structures, roles and responsibilities is undermined.

The underlying solution to this paradox is the review of the constitution, which has been under debate for years now. In the absence of an immediate solution to that setting, the role of CSOs not only as a watchdog but also as a complement to the governmental institutions becomes critical and necessary. Though the role of CSOs is commonly perceived as fundamental contribution to elections, especially in endorsing the election outcome, there is yet no written law compelling the government in general or the ECZ in particular to fund CSOs to undertake voter education or monitoring.

Filling in the Gaps

In times of elections, like the presidential by-elections in 2008, Cooperating Partners (CPs) have filled in the gaps through the setting up of an election fund, administered by either one CP or a private consulting company. Voter education and election monitoring have been the main activities covered by this mode of delivery.

However, due to the non timeliness of the by-election in 2008, CPs had difficulties in putting together an extensive pool of funding. For that reason a division of labour was agreed. While CPs like Irish Aid, the UK Department for International Development (DFID) and the European Union (EU) Commission supported election monitoring,

the Good Governance Programme on behalf of the German government focused on voter education. Most of our partner organisations taking part in voter education also took part in election observation and monitoring. Considering the fact that the Good Governance Programme has already been intensively supporting the CSOs before the presidential by-election, it could revert to a comparative advantage of working cooperation.

Cooperation with the Anti-Voter Apathy Project

The Good Governance Programme provides active support to a specialised CSO called the Anti-Voter Apathy Project (AVAP). Established in 1995 AVAP is the key civil society player in systematically approaching voters by starting at school education, adult awareness creation and information management on rights and obligations of citizen vis-à-vis the representative system, monitoring elections at local, district, provincial and national level and liaison with parliament and also the ongoing counselling process on a new constitution. AVAP has been instrumental in screening legislation, the electoral code of conduct, the parliamentary code of conduct and the effectiveness of various legislations. They are networking partner with other umbrella CSOs. Having established 22 Democratic Information Centres across the country where information, newspapers and literature are displayed, AVAP is also present in rural areas and reaching out to the grassroots level.

By providing intensive expert input to the new strategic plan 2009-2012 with an approach towards the vision and coalition for the forthcoming presidential, parliamentary and local council elections to be held in late 2011, the Programme has been intensively supporting AVAP in reaching its goal of reducing voter apathy.

Against Voter Apathy

Taking into account the poor voter turn-out in the 2006 tripartite elections and the general weak flow of information to rural areas, it was expected that the 2008 by-elections for the President's position only would not be easily comprehended by ordinary Zambians. This was emphasised by the fact that in 2006 the predominating voting pattern was marked by a clear win of urban areas by the opposition while at the same time the ruling party won the elections in rural areas.

Certainly, some CSO partner organisations came back with news from remote rural districts stating that some villagers "... had not known that the President had died and there was going to be a re-run for his office ...". Perceiving the by-election as a "party affair" only and not seeing the connection between their vote and their livelihoods, many people argued that the vice president should simply take over the office as he had already acted as president in the meantime.

Measuring Public Opinion on Democracy

While such discontentment with democracy is not a surprise finding to several players in the governance arena in Zambia, it has even been emphasised by the

fourth round of the Afrobarometer 2009¹. Though the majority of the Zambian respondents see democracy as the most preferred system of governance, the results of the survey display the lowest level of satisfaction of the Zambian people with the performance of the government within the present democratic system for years. Only about one-quarter of the Zambian population is satisfied with the performance of the system; poor rates were given to management of the economy, improving the living standard of people, creating jobs, narrowing gaps between rich and poor, health and education services, ensuring that people have enough to eat and combating corruption.

Among others, main causes for the erosion of public confidence in the governmental system were said to be the predominating intra party governance and the allegations of electoral malpractices during the 2001, 2006 and 2008 presidential elections. All the aforementioned elections verdicts were contested by losing candidates and lacked the legitimacy that comes from broad acceptance. The Afrobarometer further states that other issues disenchanting public opinion might have been the misunderstandings and suspicion that are accompanying the constitutional reform. The survey describes Zambia's political regime as "... unconsolidated hybrid system. In countries like Kenya, Zambia, and Zimbabwe, citizens demand more democracy than elites are willing to supply."²

The Afrobarometer – Measuring Public Opinion

The Afrobarometer is an independent research project that measures the social, political and economic atmosphere in African countries. By conducting surveys with a standard set of questions, trends in public opinion are tracked over time and can be systematically compared. In order to produce scientifically reliable data the surveys are repeated on a regular cycle. Afrobarometer round 4 conducted public attitude surveys in 19 countries in 2008. The survey findings were compared with findings of 1999 to 2005.

The Solwezi by-elections of November 2009

The Solwezi-Central constituency parliamentary seat fell vacant in August 2009. According to the Electoral Act no. 12 of 2006 and "... subject to other provisions of the Electoral Act, a by- election to fill a casual vacancy in the National Assembly shall be held on such date as the commission may, by statutory order, prescribe, being a date not later than ninety days after the date of notification of the vacancy was communicated by the Speaker and received by the commission." The Solwezi by-election was held on 19 November 2009, with four candidates contesting for the seat.

The Programme provided support to AVAP in its effort to engage in observations on the campaigns of contestants and parties and to be present on the day of the election. Two staff members of the Programme were accredited as election monitors. AVAP engaged in campaign and election monitoring by deploying staff and volunteers to polling stations and overlooking campaigns with empha-

¹ Afrobarometer, Summary of Results, Zambia Round 4 2009, February 2010 www.afrobarometer.org

² Afrobarometer, briefing Paper 67, May 2009, p. 2

sis on adherence of contestants and parties to the electoral code of conduct and other regulations. In Solwezi-Central AVAP monitors were present at all 30 polling stations. AVAP's field staff and the two Good Governance monitors communicated with representatives and election monitors from CARITAS, South African Centre for Constructive Resolution of Disputes (SACCORD), the Electoral Commission of Zambia and from UNDP and USAID.



Campaigning in Solwezi: traffic is blocked, people and cargo transporters are affected; set-back for the local economy

The aim of observation and monitoring was fourfold: i) assessment of final campaigning and its compliance with formal regulations; ii) assessment of correct procedures at the polling stations on election day, iii) assessment of adequate behaviour of contestants and parties on election day, and iv) acquiring knowledge for improving support to CSOs engagement in the electoral cycle.

Observations

Results of by-elections

Of the registered 34,633 voters of Solwezi Central, 10,417 had cast their vote (30.08%). The opposition coalition won with 5,669 votes (54.42%) against the ruling party with 4,457 votes (42.79%). The other contestants performed marginally. In relation to registered voters the coalition scored 16.3% and the ruling party 12.9%. The low voter turnout may be related to a number of factors:

- Outdated voter register with many non-registered persons left behind
- Voter apathy: It seems that people are tired to vote in view of poor government services, poor infrastructure and altogether that their livelihoods are not improving; promises were not kept, confidence in the contestants performance are low.
- People are either not aware of their rights; the dimension of elections in shaping society may not have reached the common man.
- Distance from polling stations and also the poor weather conditions may have kept people at home.
- Conducting the election during the cultivation season when people stay close to their field and furthermore, most farms and hamlets are located in the hinterland of Solwezi town.

The accentuated voter apathy is confirmed in the Afrobarometer 2009. However, whether the election of a new Member of Parliament (MP) was a test case for the 2011

elections needs to be answered in relation to the results of earlier and forthcoming by-elections.

Overall Assessment

The electoral process appeared to be carefully designed to allow for the smooth undertaking of the elections. The presence of ECZ staff at each polling station, each recognised through an orange jacket with the ECZ's logo on it visibly indicated who is in charge. The presence of CSO monitors and party polling agents allowed a high degree of transparency, further underlined by the fact that the presiding officer signed the observation sheet of the monitors. Regardless of few cases of violence and attempts to influence voters at polling stations through massive party representation, altogether, more or less quiet and orderly elections were observed. Voter turn-out throughout the day was very low. Police presence in the town and at all polling stations was very obvious. Police was represented by higher ranking personnel.

Coordination Efforts with other Donors and International CSO's

Together with Dan Church Aid, Diakonia and HIVOS, the Good Governance Programme has set out to ensure regular information sharing meetings. These meetings also serve to coordinate funded activities and assist partner civil society organisations during the pre-election period as well as during the post election period. This initiative will contribute to synergy since most if not all of the CSOs involved in elections are beneficiaries from all the four above mentioned organisations.

Support to the 2009 to 2012 Zambian Electoral Cycle Project: UNDP Call for Grant Proposals³

The United Nations Development Programme (UNDP) in Zambia is currently coordinating a multi donor basket fund project that supports the Government of the Republic of Zambia in various processes of the electoral cycle which include pre-election day preparations and post-voting strategies in order to ensure that the electoral cycle provides a vehicle for capacity development of citizenry and institutions in Zambia. The donors to the project are the European Commission, Canadian High Commission, Embassy of the Kingdom of the Netherlands, Embassy of Finland, and UNDP itself. The Government of the Republic of Zambia also contributes to the overall budget for the project.

The project titled "Support to the 2009-2012 Zambian Electoral Cycle" provides funding aiming at increasing the dissemination of civic and voter education country wide and equipping domestic monitors with current election observation skills for the electoral processes. Financial grants will also attempt to strengthen the organisational capacities of its grantees to ensure that their initiatives become sustainable in the longer term. This project goes beyond the 2011 tripartite elections, but will not be focused on supporting the elections or activities pertaining to Election Day.

Civil society organisations that will access these funds are expected to demonstrate strategic public outreach through appearances at various forums of advocacy and lobbying for women's participation in the electoral process, have the ability to develop a structured capacity

³ Source: www.undp.org.zm

building programme for elected and prospective female candidates integrating national and global policy issues for debate and further analysis and creating a study platform for female candidates to compete in the field still mainly dominated by men.

The grantees are expected to develop a strategic civic and voter education campaign that provides for coverage in at least two provinces in Zambia utilising various mechanisms. This will happen in close cooperation with the civic and voter education expert of the UNDP technical support team to develop a training module for CSOs that will enhance non-state actor effectiveness in domestic election observation.

The project has further funds for the building of capacities of political parties in Zambia. For this four year initiative the project seeks a qualified organisation / consultant to manage and support capacity building in leadership training, intra-party democracy, party resource mobilisation, transparency of party financing, electoral law / administration, and campaign activities. The consultant will be expected to provide a platform for the inter-party debates on national and global policies on the various sectors in and the use of best practices for policy-making in Zambia. As a further task the organisation should be able to develop and manage political party resource centres for the dissemination of political party and voter rights information across the country. Key to these activities will be the support to the strengthening of intra-party structures through the development of conflict prevention tools which can also be used for public awareness, and through this, the development of a code of ethics for political parties.



AVAP staff and volunteers prepare for election monitoring in Solwezi

Conclusion

In conclusion, taking the Zambia case in its diversity it can be argued that support to democratic elections

whether directly or indirectly is critical to enhancing good governance. By engaging stakeholders at different levels, the Good Governance Programme pursues a holistic approach which not only focuses on the election itself but the election process as a whole. With the 2011 national elections coming up, Zambian people will be asked to decide on the country's further move towards democratic governance. Support to partner CSOs in their engagement towards free and fair elections remains a key component of the Good Governance Programme.

The UN Convention against Corruption (UNCAC): Principles of Electoral Integrity

Zambia had signed the Convention on 11 December 2003 and acceded to it on 7 December 2007. UNCAC recognizes that serious problems exist in regard to the integrity of the electoral process. Article 7 of Chapter II, Preventive Measures, provides provisions for the public sector in terms of securing recruitment of efficient and corruption free public servants also requires States Parties to the UN Convention against Corruption Convention to implement transparent and accountable procedures for election legislation and procedures. Sections 2 to 4 regulate anti-corruption in the electoral cycle.

Section 2 of Article 7

Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office.

Section 3 of Article 7

Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.

Section 4 of Article 7

Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

Article 8 of the Convention regulates codes of conduct for public officials. Article 8 makes it a mandatory requirement to States Parties to promote integrity, honesty and responsibility among its public officials, including those holding elected office, in accordance with the fundamental principles of its legal system. A strong recommendation addresses the application of codes or standards of conduct for the correct, honourable and proper performance of public functions and to establishing measures and systems to facilitate the reporting by public officials of acts of corruption when such acts come to their notice in the performance of their functions. Public officials are also requested to make declarations of their outside activities, employment, investment, assets and substantial gifts or benefits from which a conflict of interest may result.

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