

**Carter Center Observation Assessment of the
2001 Zambian Pre-Election Period
*13 December 2001***

On 27 December 2001, Zambian voters will go to the polls in the country's first ever tripartite elections. Voters will be issued with three ballots to elect the president, 150 members of parliament and hundreds of local council representatives. President Chiluba announced the election date on 22 November and candidate nomination for all elections was completed by 2 December, launching the formal campaign period. Civic education efforts and unofficial campaigning began before that date and will continue up to election day. Training of election officials and party agents is also underway, and logistical preparations for the election are in full swing.

In anticipation of the 2001 elections, a small Carter Center (the "Center") team visited Zambia in June of this year and met with a range of stakeholders to discuss the political environment surrounding the electoral process. After a second visit in September, the Center received a letter from the government of Zambia inviting the Center to monitor all phases of the Zambian elections.

In October, the Center opened a field office in Lusaka with a field director and five long-term observers (LTOs) from which it has maintained ongoing observation and contact with Zambian stakeholders. During the past six weeks the LTOs have been deployed to all nine provinces and 47 of the 72 district centers and have met with a diversity of stakeholders, including representatives of political parties, government officials, media, election staff, police, faith-based organizations, and civil society groups at both the provincial and district levels.

The overarching goal of the Center's initiative is to support efforts to strengthen Zambia's democratic process and institutions and to reinforce free and fair elections. The Carter Center acknowledges that it is an invited guest in Zambia and fully respects Zambian national sovereignty in this process. The Center is appreciative of the warm welcome it has received from everyone in this beautiful country.

The Center and its Lusaka-based staff have already shared its observations and findings with the Electoral Commission of Zambia ("ECZ"), which is responsible for managing elections, and other relevant stakeholders in an effort to provide advice in a constructive and timely manner while there is still time to have a positive impact on the actual implementation of the electoral process.

Many of the concerns that the Center has observed are correctable with political will on the part of those in authority to work in a cooperative and transparent manner to ensure full participation of all stakeholders.

More serious efforts on the part of election authorities and government should have been made to identify other provisions for registration. In addition, of those who have the “legal” right to vote, additional barriers now have been placed in their way by the rains and holiday demands. Students, families, military, and others who are registered to vote but travel home to visit family during the holiday season will not have the opportunity to vote as the necessary provisions for them have not been put in place. Furthermore, insufficient provisions have been made for the disabled to vote or for people with physical limitations who may not be able to travel to the registration and polling station.

Although passage of an amendment to the election law to provide for continuous registration was an important step forward, it is unfortunate that stakeholders and election authorities missed the opportunity to amend the law to address a number of other critical issues, namely the issue of the NRC as a prerequisite to register to vote. Additionally, several other items if adopted or amended would have enhanced the electoral process and lessened the distrust and apathy so evident on the part of voters. Issues such as the inclusion of the Code of Conduct in the law, empowering magistrates to review electoral violations in a timely manner, making provisions for voting outside one’s constituency for presidential elections, party funding, media access and addressing impediments to registration all should have been addressed in advance of this year’s elections.

This year’s tripartite elections offer a host of logistical and administrative challenges for all stakeholders. Limited government resources coupled with the selection of 27 December for elections in the middle of the rainy season will hinder, if not stop, elections from taking place in many parts of the country. Valid complaints by election officials at the provincial and district levels regarding lack of resources to meet the logistical challenges to carry out elections during the rainy season appear to have been disregarded by persons in authority.

While it is encouraging to see Zambia’s multi-party democracy active with eleven parties contending the presidential election, it is equally disconcerting to view the excessive fragmentation of political parties. Many stakeholders clearly wish to see a more representative government, but have concerns that the fragmentation will not lead to such an outcome. The fact that most stakeholders perceive the ruling party and the president to be misusing state resources and failing to help create a level playing field make the fragmentation concern especially worrisome in terms of effective electoral contestation. While the ruling party takes full advantage of its position, it aggressively condemns opposition parties from receiving financial assistance from outside the country to help level the playing field.

Transparency with regard to party finances should be a required practice and the voters themselves should be the judge, not the ruling party. The lack of transparency has also exacerbated voter apathy and mistrust in government, which is unfortunate as Zambia moves toward electing 2g.rh conc8ruling

The Carter Center believes that steps can be taken by the ECZ, the government, and all political stakeholders to improve the integrity of this process in the weeks leading to election day. The Center offers the following observations and recommendations in the spirit of cooperation and to support the strengthening of open and free elections in Zambia.

1) Use of State Resources: If Zambia is to achieve fully democratic elections, the playing field must be level for all political contestants. Numerous examples of misuse of state resources by government officials and the ruling party have been reported to the Center's observers. In particular, the use of state resources by the incumbent president and his vice president in support of campaigning activities of the MMD candidate unfairly tilts the playing field. Although the law permits the incumbent president and vice president to enjoy certain facilities, the Center has noted significant discontent among political parties and voters who view the ruling party as taking advantage of these privileges in ways that directly support partisan purposes and disadvantage the opposition. Attendees of political rallies in several provincial and district capitals perceived such misuses by the ruling party.

Thinly veiled intimidation by the ruling party also creates a very unfavorable perception among the public and stakeholders and contributes to voter apathy. The MMD leadership's public statements that it will not provide economic development programs to any parts of the country that do not support the ruling party in elections can only be seen as narrow partisanship and a failure to meet its responsibilities for advancing common national interests.

A public perception also exists that many officials at lower ranks take advantage of their official

Steps can be taken to improve adherence to the Code during this campaign period that may help to improve the campaign environment. The ECZ should be encouraged to publicize the content of the Code and inform the public of the new instrument adopted by the ECZ, which requires all candidates and monitors to sign a declaration committing their adherence to the Code during the campaign and voting periods. Furthermore, the ECZ should encourage the public to act as watchdogs and report violations of the Code.

presidential candidate. This

Election officials in the districts have expressed concerns that their messages regarding specific logistical problems have gone unanswered and that the level of support provided by the ECZ does not adequately address the needs on the ground. Election officials have told Center observers that information regarding provisions to accommodate more than one stream of voters in places where there are more than 1,500 registered voters have not been communicated adequately. Center observers have also heard reports of other potentially serious problems that could impede the conduct of elections, including: lack of shelter for people standing in the queues in the event of rain; polling stations which do not have electricity; lack of reliable communication infrastructure (e.g. district capital Mwinilunga in Northwestern province has been without telephone communication for more than a month); and the shortage of transportation and fuel for movement of personnel and materials.

The ECZ should immediately conduct consultations with the appropriate election officials at the provincial and district levels to develop detailed logistical plans that reflect the reality on the ground. Necessary funding should be made available to the ECZ to provide for appropriate staffing levels needed during the election period. Proceeding in a transparent and realistic manner and working collaboratively to address serious problems will garner more respect from stakeholders than not acknowledging the problems.

About The Carter Center

The Carter Center, based in Atlanta, Georgia, USA, is a non-profit, nongovernmental organization founded in 1982 by former U.S. President Jimmy Carter and Rosalynn Carter to promote peace