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ZIMBABWE: DEMOCRACY ON THE LINE

Mr. Chairman, Members of the Subcommittee, thank you for this opportunity to comment on the troubled electoral and political processes surrounding the June 24-25, 2000, parliamentary elections in Zimbabwe. I will briefly summarize for you my prepared statement.

Zimbabwe is a pivotal country in southern Africa, and its democratic development is of exceptional importance to Africa and beyond. The international community supported the people of Zimbabwe in their quest for independence and majority rule. Today, people around the world continue to support those striving in Zimbabwe to promote democracy, the rule of law and human rights.

Zimbabwe's parliamentary elections, to be held in less than two weeks, present a critical test for the country's democratic development. Following the surprise defeat of the government-sponsored constitutional referendum in February of this year, widespread political violence was directed at members of opposition political parties and opposition supporters. When an election date was announced, leaders across the political spectrum expressed a desire to go forward with the electoral process in hopes of eventually bringing the violence to an end.

The National Democratic Institute for International Affairs (NDI) received requests from a variety of Zimbabwean political and civic leaders to monitor electoral developments. NDI has been working in Zimbabwe since February 1999, through support from the National Endowment for Democracy (NED) and the U.S. Agency for International Development (USAID), to promote dialogue among all of the major political parties in order to reach a common understanding of basic aspects of electoral reform needed to hold credible elections. As part of this work, the Institute took members of civil society, political parties and election authorities to neighboring countries to observe and learn from some of the more competitive elections in the region, including South Africa and Mozambique. On February 4-5, 2000, the program brought together leaders of all major political parties in a roundtable, where they drafted a code of conduct for the parliamentary elections. The code of conduct was approved at the roundtable and subsequently ratified by all participating political parties except ZANU-PF. In the next phase of the program, NDI conducted 30 workshops in which 720 trainers from all contesting political parties were trained across Zimbabwe's 10 provinces. Those trainers are training party pollwatchers throughout the country. It was in this context that NDI received requests to observe Zimbabwe's election process. In close cooperation with the International Republican Institute (IRI) and other international and Zimbabwean observer groups, NDI agreed to do so.

NDI then organized a multinational pre-election delegation that visited Zimbabwe from May 15-22, 2000. The delegation was led by the Hon. Alex Ekwueme, Vice President of Nigeria from 1979-1983 and current Chairman of the Board of Trustees of the People's Democratic Party of Nigeria, and included a Member of Namibia's National Council who is Deputy Chief Whip for SWAPO; a Member of the Kenya National Assembly who is the Leader of Kenya's Social Democratic Party; a former Deputy President of the Assembly of the Republic of Mozambique; a former member of the Parliament of Canada

who was the Leader of Canada's New Democratic Party and past President of the Socialist International Women; I also was a member of the delegation. The delegation's technical advisors included: the Chief Electoral Officer of the Independent Election Commission of South Africa; and NDI's Regional Director for Southern Africa and members of NDI's Zimbabwe country team.

Since that time, NDI has maintained its in-country staff and added a 10-person long-term observation group that has been deployed at points around Zimbabwe. The Institute plans to release a report by the end of this week, based on the work of NDI's Zimbabwe long-term observer project. Copies of the report will be provided to Members of the Subcommittee.

POLITICALLY-MOTIVATED VIOLENCE

Mr. Chairman, Members of the Subcommittee were supplied with a copy of NDI's pre-election delegation's 17-page statement, issued in Harare on May 22, 2000. It is also included as Appendix I to my prepared statement. The delegation concluded that the conditions for credible democratic elections did not exist at that time.

Regrettably, the conditions for credible elections still have not been established in Zimbabwe. While there have been certain improvements in the electoral environment, critical problems remain and new ones have emerged. Irreparable damage has been done to public confidence, particularly as a result of politically-motivated violence and the lack of government action against violence, which has created an air of impunity that adds to anxiety and fear.

The effects of violence and attempts at political intimidation have undermined trust among many Zimbabweans in the secrecy of the ballot and have raised fears of retribution for voting against the ruling political party. These factors could affect voters' decisions about whether to vote and for whom to vote on June 24-25.

Political violence since Zimbabwe's February 2000 has substantially restricted the exercise of freedoms of opinion, expression, association, assembly and movement, as well as the right to be secure from physical harm due to political affiliation. The abilities of political parties and many candidates, predominately from the opposition, to campaign openly and freely do not meet international standards for fair electoral competition.

The electoral conditions fail to meet requirements contained in The Declaration of Rights in Zimbabwe's constitution and electoral standards based upon international instruments, such as the Universal Declaration of Human Rights and the African Charter on Human and People's Rights, which are applicable to Zimbabwe. The level of violations of civil and political rights in Zimbabwe's election context led Amnesty International to issue on June 6, 2000, a report entitled "Zimbabwe: Terror tactics in the run-up to parliamentary elections, June 2000." I have provided copies of that report for the Subcommittee.

Although political violence appears to have diminished somewhat during the past month, it continues at tragically high levels. An atmosphere of fear still prevails over much of the country. Levels of political violence and intimidation are especially high in the north and central parts of the country and in rural areas. In many of these areas, the intimidation of voters is impeding the ability of citizens to express their support for their favored candidates. Violence and the threat of violence directed against candidates and party activists are, in some areas, preventing them from campaigning. While supporters of the ruling party, ZANU-PF, and of opposition parties have been victims of political violence, the overwhelming numbers of victims have been supporters of the opposition.

ELECTORAL FRAMEWORK

Mr. Chairman, while Zimbabwe's election authorities have a demonstrated ability to organize the administrative aspect of elections, yet there are serious problems in the legal framework for the elections. Prior to the February 2000 constitutional referendum there was a consensus across the political spectrum that an independent election commission was needed to organize credible elections. Following the defeat of the referendum, the elections were called, however, without instituting that electoral reform.

There are also critical problems concerning a "level playing field," such as heavy news bias favoring the ruling party and qualification requirements for state funding that result in only the ruling party receiving such financing. On the positive side, the nomination process has been concluded with few complaints from the political parties despite apprehensions expressed by opposition parties that their candidates might be blocked from the process.

Changes in the law, as well as creation of a new Voters' Rolls based on this year's registration drive and merging of databases have led to numerous inaccuracies and missing information on the Voters' Roll that could prevent large numbers of Zimbabweans from voting in the upcoming elections. In addition, inspection of the Voters' Roll has been marked by confusion. Election authorities improved the inspection process by increasing the number of locations at which citizens could inspect the roll and by providing easy access to it, but there is not sufficient transparency to ensure citizens that needed corrections will be made. Concerns therefore remain as to whether large numbers of prospective voters will be disenfranchised on June 24-25 due to problems with the Voters' Rolls, and there are fears in opposition parties that their supporters will be disproportionately affected because of electoral manipulation.

Government owned and operated media, which has a monopoly on radio and television broadcasting in Zimbabwe, continue to provide biased coverage of the campaign. Reports of media monitoring organizations consistently indicate that government-controlled media portrays the ruling party, ZANU-PF, in a favorable light, while emphasizing negative stories about opposition parties. ZBC, the government-operated television station will allocate a very limited amount of time to each contesting party in the closing days of the campaign. It will also permit opposition parties to purchase advertising time.

There is a critical need for large-scale voter education by electoral authorities. Issues to be addressed in such an education campaign include secrecy of the vote; electoral rights of voters; and the importance of inspecting the Voters' Rolls. There is also a critical need for voters to learn about the political party manifestos. However, the government has made little effort to assure voters that their ballots will be secret or other voter education topics. Much more needs to be done to counteract the effects of the pervasive political violence and intimidation. This is particularly true in rural areas, where approximately 65 percent of the population resides, and where citizens remain fearful that they will be subject to reprisals for freely exercising their right to vote for the parties and candidates of their choice.

The roles of international and domestic election observers are especially important in situations where there has been pervasive violence, and when peoples' confidence in the secrecy of the vote has been undermined. Although the government of Zimbabwe extended invitations to several international observer delegations, substantial confusion surrounded their arrival. The failure of the government to adopt regulations for international observers and domestic monitors until June 7 resulted in delays for some delegations in sending observers to the field to observe and report on the pre-election environment. The delays were especially unfortunate since they prevented many delegates from observing, except in Harare, the nomination of candidates and the initial days of inspecting the Voters' Rolls.

Domestic monitors have expressed concerns that the new regulations are unnecessarily burdensome and may prevent them from effectively monitoring the polls. In particular, these regulations shift responsibility for the accreditation of monitors from the Electoral Supervisory Commission (ESC), with whom domestic groups have been working since March, to the Office of the Registrar-General. The regulations also permit the Registrar-General to require that all domestic monitors undergo training either conducted or approved by the Registrar-General. These organizations have already invested considerable time and money conducting training, which was approved by the ESC. A new training requirement -- with just 11 days or less remaining before the elections -- could derail domestic monitoring efforts. In addition, the regulations do not permit monitors to ride in the vehicles that will be transporting ballot boxes to the locations where they will be counted, which will deny them access to a critical link in the chain of ballot security.

CONTINUING DESIRE FOR CREDIBLE ELECTIONS ON JUNE 24-25

Mr. Chairman, despite these and other serious obstacles, political parties and the population in general have accepted the June 24-25 election dates in the hope that this troubled period in Zimbabwe may come to an end. Political parties and candidates are contesting the elections. Zimbabwean citizens are mobilizing in large numbers to act as election monitors. Electoral authorities are preparing for the election. Citizens are continuing to express their desire for an election process that is meaningful and that produces results which are accepted by the ruling political party and opposition political parties alike. For these reasons, the election process warrants heightened observation by

the international community in an effort to support a meaningful election process. This observation should be conducted in the spirit of international cooperation and in respect for the right of the people of Zimbabwe to determine freely who shall govern.

Mr. Chairman, international experience demonstrates that in countries like Zimbabwe, where violence and fear undermine the credibility of elections, it is necessary to go beyond the minimum requirements of the election law to build sufficient public confidence in the process, so that the elections might be accepted by the political parties and voters. In order to establish such public confidence, it is often necessary to take extraordinary steps to promote electoral rights and open dialogue among the political contestants to agree on minimum rules for the competition.

It is unfortunate that in Zimbabwe such concerted efforts have not been made. The elections are only 11 days away, but improvements in the election process are still possible. Swift action by government and electoral authorities is needed to establish public confidence. As every day passes, there is less opportunity to establish the conditions needed to hold meaningful elections. It is hoped that the responsible authorities will nonetheless act on recommendations advanced by NDI, other representatives of the international community and concerned Zimbabweans to ensure peaceful election days and to prevent post-election political violence.