

TANZANIA ELECTION MONITORING COMMITTEE (TEMCO)

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DOMESTIC OBSERVATION MISSION

2010 ZANZIBAR ELECTIONS

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INTERIM STATEMENT

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Introduction

The Tanzania Election Monitoring Committee (TEMCO) is a network of local civil society organizations (CSOs) that has been monitoring general elections and by-elections in Tanzania since 1995. In executing its work, TEMCO was guided by the law of the United Republic of Tanzania, the Zanzibar Constitution as well as by international principles and guidelines of elections observation. The main objective of TEMCO is to assess the transparency and fairness of the election process geared at enhancing democracy in the country. The purpose of this interim statement is to provide preliminary assessment on the general elections held in Zanzibar on 31st October, 2010. A more detailed assessment of the whole electoral process will be presented in due course.

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TEMCO deployed a team of observers in Zanzibar (Pemba and Unguja) since October, 2009 to observe the electoral processes leading to the general elections on 31st October 2010. Within a period of one year, TEMCO observed voter registration and updating of the Permanent Voter Register (PVR), the efficacy of the Zanzibar Electoral Commission (ZEC) in the management of the election, civic and voter education, nomination of candidates by political parties and by ZEC, campaigning, voting and vote-counting processes as well as the declaration of results. This interim report presents an overall picture of all phases of the election process observed in a period of one year since October 2009.

TEMCO wishes to express its sincere thanks to the Revolutionary Government of Zanzibar and to the Zanzibar Electoral Commission for the permission and accreditation to observe the election process and to the American people through USAID for the financial support to enable TEMCO to carry out its duties. Also, TEMCO acknowledges support and cooperation received from the international observers, leaders of political parties, media, CSOs and the people of Zanzibar.

TEMCO deployed a team of both Long Term Observers (LTOs) and Short term Observers (STOs) at various stages of the election process. Each region had one LTO who served as the Regional Observation Coordinator. Other LTOs were placed in the districts to serve as District Observers. STOs included poll watchers who were deployed to specific polling centres on the voting day. All observers received the required training regarding their roles and responsibilities, TEMCO code of ethics and conduct, and ZEC's "Guidelines for Local and International Observers". The observers collected the required data by using three mutually reinforcing instruments, namely: questionnaires, interviews and observation guidelines.

Preliminary Findings

Voter Registration and Voter Register

Unlike in the past elections since the re-introduction of the multiparty system in Zanzibar, TEMCO observers noted that there was a marked improvement in the voter registration exercise for the 2010 elections. Also, the voter register was reviewed and accepted by all political parties. ZEC distributed electronic copies of the voter

register to all participating political parties three weeks before the election day. Political parties were able to request ZEC to correct detected errors. Overall, ZEC Registration officers were able to demonstrate a satisfactory level of competence in executing their duties. Computerization of the voter registration process largely contributed to the transparency and efficiency of the exercise amidst country-wide power blackout that lasted for about three months. The supply of registration materials was generally sufficient. Registration centres were opened and closed on the prescribed time. Defective computer devices were repaired or replaced in good time. Women's turnout for registration was very good. They ultimately constituted the majority of registered voters in the Islands.

ZEC maintained an elaborate structure of supervision and monitoring involving ZEC Commissioners, ZEC director and other officials from the head office, District registration officers as well as ZEC IT experts. Among all the political parties, CCM and CUF were able to monitor and supervise the registration and updating exercise throughout Zanzibar. CCM and CUF placed agents almost at all registration centres. Security at the registration centres was adequate without creating fear to potential voters. There were no reported cases of harassment or intimidation.

Regarding the legal and constitutional framework, the additional requirement that requires a person to possess the Zanzibar Identity Card (ZAN ID) to qualify as a voter was enforced (Election Act no. 11 of 1984, section no. 12 (1)(b)).

Updating of the PVR was concluded on 5th May, 2010 as planned by ZEC. However, following persistent complaints over the lack of ZAN ID, ZEC carried out a special registration exercise on 8th and 9th May, 2010 in order to register potential voters, who did not possess ZAN ID but registered as voters for the 2010 elections. ZEC verification found out that a total of 3376 voters who were in the 2005 Voter Register did not have ZAN IDs. TEMCO observed that the exercise was done peacefully in all registration centers. TEMCO commends this initiative as it provided an opportunity for the registration of more potential voters who had actually been left out.

However, inspite of the remarkable improvements noted above, TEMCO observers identified several problems which should be pointed out:

1. Throughout the voter registration and PVR updating processes, the added requirement for a ZAN ID was a major constraint that may have led to a sizeable number of potential voters not being registered. The major opposition party, CUF strongly objected to the ZAN ID requirement claiming that it disenfranchised many of its members. Protest against the use of the ZAN ID led to chaos and civil unrest during the first phase of the voter registration exercise particularly in Pemba, which led to a temporary suspension of the voter registration exercise on August 4th 2009.
2. The complicated and costly process of acquiring both ZAN ID and birth certificates may have discouraged some potential voters from registering themselves as voters.
3. CUF's initial campaign against voter registration in protest against the ZAN ID requirement may have led to low voter turnout for voter registration especially in Pemba.
4. Inspite of the additional time for registration, the number of those who actually turned up to register was rather below ZEC estimates. Out of 3376 voters who had voted in 2005 but lacked ZAN ID, only 1548 showed up for registration. ZEC efforts notwithstanding, TEMCO found out that some people were not informed of the ZEC verification exercise and consequently did not register. This might have been one of the reasons as to why the total number of the registered voters for the 2010 elections was lower compared to that of the 2005.
5. In certain areas, Shehas usurped the powers of Registration officers in determining the eligibility of potential voters. As a result, some potential voters may have been wrongly denied their right to register as voters. Thus, like in previous elections, the role of Shehas in the election process remained problematic even in the voter registration for the 2010 elections.
6. The allegation of registering the under-age voters were raised in certain registration centers. Some of the people who came for registration appeared to be too young to be 18 years old.

7. The process of distributing voter IDs to the eligible voters was less efficient. Until early October, ZEC was still in possession of 10,295 voters' ID cards that were yet to be distributed to voters. The failure of ZEC to distribute the cards under its custody transparently raised many questions.

However, following the reconciliation between CCM and CUF which led to the constitutional changes to create a Government of national Unity (GNU), the issue of potential unregistered voters was left unresolved.

The Nomination of Candidates

The 2010 elections witnessed increased competition and transparency during the intra-party nomination process. Among all the political parties, only CCM and CUF carried out an elaborate and competitive selection of candidates within the parties. Following this, a good number of incumbent members of House of Representatives and Union parliament lost their seats as a result of demonstrated stiff intra-party competition. Thus, unlike in Tanzania Mainland, there were no unopposed seats for the House of Representatives (HR), Union parliament and councillorship in Zanzibar. Both CUF and CCM adopted a new nomination system, in which all members of the party in a particular locality had a chance to nominate contestants for the councillorship, House of Representatives (HR) and parliamentary seats.

Thus, while CCM and CUF were able to organize a competitive and rigorous process of selecting candidates within their parties, other parties selected their candidates either through interviews of self-appointed candidates or by hand-picking them without internal competition between and among candidates.

TEMCO noted some challenges in the nomination process in Zanzibar;

1. Instances of allegations of corruption were made by some candidates especially within CCM and CUF.
2. Lack of funds on the part of small opposition parties was cited as being one of the main factors that prevented them from filing adequate number of candidates. According to ZEC and NEC regulations, in order to collect an application form and be able to contest, aspirants had to pay a non

refundable fee of Tshs 200,000 and 50,000 Tshs for the House of Representatives, parliament and for councillorship forms respectively.

3. A weak political and social base of many opposition parties also contributed to their poor visibility as candidates in the October 2010 elections in Zanzibar.
4. While women showed up in big numbers to register and at campaign rallies, they remained marginalized in terms of their participation as electoral contestants in political parties.

Election Campaigns

Overall, the 2010 elections campaigns in Zanzibar were remarkably calm, civil and peaceful. The situation contrasted sharply with the experience in most of the previous elections in Zanzibar. The launch of public campaigns in Zanzibar was delayed due to the holy month of Ramadan. Major political parties developed party manifestos with a varied range of policy issues. The campaign trail was largely dominated by CCM and CUF candidates at all levels. As a result of their strong political and financial base, CUF and CCM had more elaborate, well organized and coordinated campaign teams at all levels. Various methods and strategies were used by political parties in order to mobilize voters' support including public rallies, house to house canvassing, posters and banners, use of poems and taarab music, distribution of party uniforms and the use of electronic and print media. In addition, the wives of CUF and CCM presidential candidates were involved in campaigns on behalf of their husbands.

Another notable feature of the election campaign in Zanzibar was the ferrying of party members to and from campaign rallies. This practice was mainly done by CCM and CUF.

Overall, only CCM and CUF were able to hold campaign meetings regularly as provided in the ZEC and NEC timetable. Other parties failed to follow the approved campaign schedules and instead resorted to house to house campaigns.

TEMCO observed a few irregularities during the campaign period;

1. TEMCO observers noted that CCM enjoyed the incumbency advantage by using government resources especially government vehicles during

campaigns thereby affecting the playing field of competition. Government vehicles were observed ferrying CCM members to campaign meetings in certain public rallies contrary to the regulations as stipulated in Section 3.3(a) of *Maadili ya Uchaguzi kwa Ajili ya Uchaguzi wa Rais, Wabunge, na Madiwani ya Mwaka 2010*.

2. In spite of the generalized civil peace and harmony during the campaigns, incidents of vandalism of posters by unknown people in many constituencies were reported.
3. There were a few cases of violent incidents. On 26th September 2010, CCM members from the presidential campaign rally in Nungwi were stoned by an unknown mob at Mtoni area seriously injuring two people.
4. TEMCO Observers noted that road traffic laws and regulations were violated by some of the vehicles which were used to ferry party supporters and members to and from Zanzibar town. Many were overloaded. While the police did a good job in maintaining peace and security at campaign meetings, they failed to prohibit acts of violation of traffic laws.

Media Access and Coverage

State media particularly Television Zanzibar (TVZ), Radio Zanzibar and Zanzibar Leo newspapers displayed a great deal of bias in favor of CCM in their election reporting. Private owned radio including local radio stations such Bomba FM, Chuchu FM, Zenj FM played a significant role in covering both the ruling party and the opposition. Unlike Zanzibar state Television, Tanzania Broadcasting Corporation (TBC), which is also a state owned, was praised by various stakeholders for being balanced in its coverage of elections in Zanzibar.

Civic and Voter Education

Overall, there was adequate information dissemination and awareness raising campaigns conducted by ZEC particularly during voter registration exercise. Radio and television advertisements sensitized and encouraged people to show up for registration. ZEC also used fliers and posters to raise awareness and mobilize potential voters for the registration. Similarly political parties, notably CUF and CCM used public rallies as a means for mobilizing their supporters. A few CSOs were involved in the provision of voter education.

In spite of the provision of civic and voter education by various organizations, a few challenges were noted;

1. Dissemination of voter education materials by ZEC was largely limited to urban and easily accessible areas of Zanzibar.
2. Involvement of CSOs in providing voter and civic education was limited. Only a few of them were actually involved in the exercise.
3. The effectiveness of voter education was limited by the power blackout that persisted for three months.

Voting and Vote counting

Voting was done in a transparent and orderly manner. Voters could easily identify their names in the displayed voter register. Party agents particularly from CCM and CUF were present in all polling stations. Polling stations were located properly and provided voters with easy access to the stations. In many polling centers, secrecy for voting was ensured. Counting was done at the polling station with greater transparency. Election results of each polling center were posted outside the center.

In spite of the marked improvements, a few challenges were noted;

1. Voting for the councillorship elections was postponed in four wards in Urban constituency, namely, Miembeni, Kwahani, Nyerere and Mchangani. This was due to printing errors of names of candidates on the ballot papers. Voting was also postponed for the Union parliamentary elections in four constituencies

including Mtoni, Magogoni, Mwanakwerekwe and Wete due to shortages of the ballot papers for the parliamentary elections.

2. Some of the polling stations were located in temporary grass thatched huts and did not guarantee adequate privacy to individual voters.
3. The exercise of tallying results at district centers was not as fast as expected and it took quite a while for returning officers and party agents to complete the task.

Declaration of Results

Declaration of results was marred by suspicions and mistrust due to delays in the announcement of results. Some of ZEC Returning Officers were slow and hesitant in declaring the results causing some tension and confrontation between ZEC officials and CUF agents and supporters.

Conclusion

In conclusion, while we find the voter registration process and the updating of the voter register to have had some problems, other election phases including nomination, campaigning, voting, vote counting and declaration of results were carried out in a transparent manner and in accordance with the acceptable standards of democratic elections.