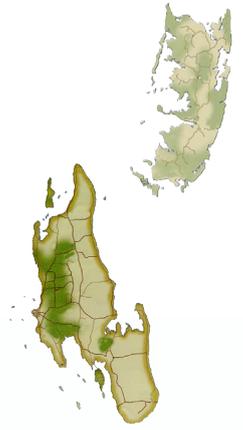


# TEMCO

## NEWSLETTER

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# Special issue on Zanzibar Referendum



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## 1. TEMCO AWARDS THE ZANZIBAR REFERENDUM A 'TRANSPARENT', FREE AND FAIR CERTIFICATE

The Tanzania Election Monitoring Committee (TEMCO) has announced in its interim statement that the Zanzibar Referendum held on Saturday 31st July 2010 was free and fair. The Referendum, held to allow the Zanzibaris to decide whether a Government of National Unity should be formed after the October 2010 General Elections, is the first to be held in Zanzibar and within the United Republic of Tanzania. Speaking at the press conference in Zanzibar after ZEC had announced the final results on Sunday 1st August 2010, the TEMCO Associate Chairman Dr. Benson Bana said that the interim statement was meant to provide immediate feedback on the Referendum whereas a detailed report would be provided in the near future.

Since November 2009, TEMCO had deployed a team of Election Observers to monitor the preparations for the referendum and the 2010 general elections in Zanzibar. The deployment of the Observer Mission was made possible with the financial assistance of the American people under USAID. The Observation Mission monitored voter registration and the updating of the Permanent Voter Register (PVR). With regard to the referendum, TEMCO scrutinized the activities of the House of Representatives' Committee of Six and the Zanzibar Electoral Commission (ZEC). Moreover, TEMCO monitored ZEC's role in providing voter education, management of campaigns, voting, vote-counting as well as declaration of the results.

Speaking about the role of the Committee of Six, Dr. Bana commended the work of the Committee to prepare the voters for the referendum. He said that the Committee of Six organized a number of sessions in order

to educate the people on the rationale of the referendum and political benefits of the Government of National Unity. As such, from 19th July to 30th July 2010 the Committee held several meetings with stakeholders in Zanzibar. For example in Unguja, the Committee held a meeting with the Zanzibar Press Club on 19th July 2010, where all media institutions were invited. Again, on 20th July 2010 it held a meeting with Civil Society Organizations and on 21st July 2010 there was a meeting with Higher Learning Institutions. It also held a meeting with Religious Leaders on 22nd, July 2010 and with Shehas on 26th July 2010. Similar meetings were held from 27-30th July, 2010 in Pemba. Dr. Bana further lauded the Committee of Six for its dissemination of useful information on the Referendum to the general public through Radio, Televisions, newspapers as well as posters.



*Members of the Committee of Six in a meeting with Religious leaders held on 22nd July, 2010 at the House of Representatives- Zanzibar*

The TEMCO Associate Chairman also lauded ZEC for recruiting and selecting the referendum personnel in a transparent and competitive manner, abiding by the principles of merit staffing. ZEC is also commended for spelling out clearly the qualifications of potential candidates for the post of District Referendum

Officers, Assistant District Referendum Officers, Constituency Referendum Officers, and Assistant Constituency Referendum Officers. It is also commended for giving the selected applicants adequate training on their roles and responsibilities. TEMCO believes that the good work that was done by the ZEC personnel is a clear demonstration that they were trained and prepared well for the job



*Personnel from ZEC contracted by the Civil Society Organization conducting a voter education session to people with disabilities at Kibanda Maiti on 25 July, 2010.*

Commenting on the referendum day, Dr. Bana said that TEMCO deployed a total of 380 Observers in both Unguja and Pemba to monitor the referendum. Of the 380 Observers, 20 were Long Term and 350 were Short Term Observers. Each region had one Long Term Observer who also served as Regional Referendum Observation Coordinator. Other Long term Observers were placed in districts to serve as District Referendum Observers (DROs) and they were also responsible for referendum observation activities in all constituencies in the district. These activities included recruitment, training and supervision of poll watchers who were deployed at all polling centres on the referendum day. TEMCO

made sure that the observers adhered to the election monitoring code of ethics and conduct and ZEC's Guidelines for Election Observers. During the monitoring exercise, three instruments were used by the Observers in the collection of data; namely questionnaires, interviews and field observation.

However, Dr. Bana said that there were a few problems observed during the whole exercise. To begin with, the Revolutionary Government of Zanzibar did not provide ZEC with adequate money to cater for the referendum exercise. Instead of the TSH 3 billion that ZEC had requested the Government offered only TSH 2 billion. Again, the TEMCO Associate Chairman reported that some Government officials including Shehas and District Commissioners to some extent undermined the initiatives to educate the public about the rationale of the Referendum. For example, some of the above mentioned officials did not allow the CSOs who were contracted by ZEC to provide civic education to operate in their areas of jurisdiction.

Moreover, although there were no official 'Yes' or 'No' campaigns, still leaders of the major political parties and the architectures of Maridhiano conducted an open 'Yes' campaign. As a result many pro-yes posters were distributed and displayed. On the other hand, however, underground campaigns were conducted in favour of 'No' for the referendum. This camp also distributed several pieces of information persuading people to vote no in the referendum. One of the pieces carried the title *Ilinde Nchi Yako Julai 31 kwa Hapana* (Defend your country with a 'NO' vote on 31st July) and the second was titled "Barua

ya Wazi kwa Spika – Kificho" (Open Letter to Speaker-Kificho). Although these problems were observed, Dr. Bana said the integrity of the referendum process in its entirety was not affected.

In the Referendum some 293,039 people, which is 71.9 percent of the total registered voters, cast their vote. According to the announced results, 188,705 voters, which

*ZEC personnel counting the votes at Skuli ya Bububu: Looking on are International, TEMCO and CUF Referendum Observers*

is 66.4 percent, voted in favour of the government of national unity and 95,613, which is 33.6 percent, voted against it. 284,318 of the total votes (97 percent) were valid, and 8,721 (3 percent) were spoiled.



## **2. PRESIDENT AMANI KARUME AND THE CUF SECRETARY GENERAL SEIF SHARIF HAMAD OPTIMISTIC ABOUT THE FUTURE OF ZANZIBAR**

The architectures of Maridhiano, the President of Zanzibar Dr. Amani Abeid Karume and the Civic United Front (CUF) Secretary General Maalim Seif Sharif Hamad are optimistic that the decision made by the Zanzibaris to vote overwhelmingly for 'Yes' in favour of the Government of National Unity will create a united, peaceful and tranquil Zanzibar. In his address to the public after the announcement of the Referendum results on August 1st 2010, President Amani Karume said that no party can claim to have won the Referendum vote adding that this was a victory for all Zanzibaris in as much as the Referendum is going to bring them peace, unity and solidarity.

Dr. Karume thanked all the voters who had voted in favour of the government of national unity and said that their act has

given the structure of the Revolutionary Government of Zanzibar a new shape and it has echoed the interminable wish of the Zanzibaris to live together as one. However, Dr. Karume also thanked those who had voted against the government of national unity saying that he respected their decision and that they had exercised their democratic rights as well.

Dr. Karume further said that Zanzibar has set itself as a model to be emulated by other countries in Africa insomuch that the publicly supported government of national unity will put an end to conflicts that have racked Zanzibar for decades. He finally urged all Zanzibaris that in order to show that they are true victors of the July 31st Referendum in Zanzibar, they should behave themselves in the October 2010 general elections by making them

peaceful and credible.

Speaking after the announcement of the referendum result, the CUF Secretary General, Maalim Seif Sharif Hamad, thanked the people who voted in favour of the Government of National Unity and called the triumph of the 'Yes' vote the 'victory of Zanzibar, its people, and the United Republic of Tanzania in general.' He further said that Zanzibar has opened a new chapter and he urged the Zanzibaris to forget the past and think instead about the future of Zanzibar as one people.

Following the results, of which 66.4 percent of the voters favoured the government of national unity, Zanzibar will have a new structure of government after the October 2010 general elections. The Zanzibar Constitution will be amended to allow, inter alia, the following changes in the structure of the government: the candidate who will win the elections will be the executive president. The trailing party in the presidential vote shall

acquire the post of First Vice President. The Second Vice President shall be appointed by the President from his party and shall be a leader of the Government Business in the House of Representatives, and will succeed the President if he dies. The cabinet will be appointed by the President in a ratio in consultation with leaders of the other political parties.



*CUF Secretary General Seif Sharif Hamad shaking hands with CCM Zanzibar Deputy Secretary General Salehe Ramadhan Feruz at Salama Hall Bwawani during the announcement of the Referendum Results*

### **3. THE TRIUMPH OF THE 'YES' VOTE IS A FOUNDATION FOR A NEW PEACEFUL AND INCLUSIVE ZANZIBAR: US ASSISTANT SECRETARY OF STATE SAYS**

**T**he US Assistant Secretary of State, Johnnie Carson, has commended the decision taken by the people of Zanzibar to vote overwhelmingly in favour of the government of national unity which is expected to begin after the October 2010 general elections. Mr. Carson, who is in charge of the Bureau of African affairs, said in an official statement on 2nd August 2010 that the Referendum represented the culmination of a difficult reconciliation process that Zanzibar has laboriously gone

through. According to him, the triumph of a 'Yes' vote in the Referendum implies that the people of Zanzibar have wisely chosen to move beyond bitter divisions to building a new Zanzibar that will be founded on a peaceful, just, and inclusive political system



*Zanzibaris celebrating the triumph of the 'Yes' vote at Bwawani immediately after ZEC had declared the final results of the referendum on 1st August 2010.*

Commenting on the way the Referendum was held Mr. Carson applauded the people of Zanzibar for conducting the referendum in a peaceful environment. He again congratulated the Revolutionary Government of Zanzibar, leaders of the two major political parties (CCM and CUF), legislators, the Zanzibar Electoral Commission, Civil Society Organizations and Religious groups for making the referendum exercise a success. He added that by adopting such pragmatic solutions to the problems that have existed for decades, Zanzibar is setting a very good example for other countries around the world with similar problems.

The US Assistant Secretary of State further urged the Zanzibaris to effectively build on this historic achievement so as to create a peaceful Zanzibar even as they approach the October 2010 general elections. He said that the United States of America

will maintain its support of Zanzibar if the Zanzibaris will continue to embrace the rule of law and peaceful political participation over division and violence.

Meanwhile, other diplomats and foreign leaders who hailed the Referendum results include Britain's Minister for Africa Henry Billingham, and Norway's Environment and International Development Minister Erik Solheim. Both congratulated President Kikwete and the two Zanzibar leaders- President Amani Karume and CUF Secretary General Seif Sharif Hamad for taking this initiative that has helped Zanzibar to overcome past difficulties and forge unity. They were also optimistic that the decision made by the Zanzibaris through the referendum will pave way for development and prosperity in the Isles.

## 4. THE REFERENDUM INITIATIVES MAY BE USEFUL IN THE 2010 GENERAL ELECTIONS IN ZANZIBAR

Many local and international election observers and political analysts look at the referendum held on 31st July 2010 as a sign of peaceful polling in the forthcoming general elections in Zanzibar. The Tanzania Election Monitoring Committee (TEMCO) and the Tanzania Civil Societies Consortium on Election Observation (TACCEO) who monitored the Referendum praised the Zanzibar Electoral Commission for managing the referendum in a very peaceful and professional way. TACCEO for example, commended ZEC for giving civic education to voters, an act that facilitated a smooth conduct of the exercise.

Apart from that, TEMCO Observers noted some initiatives employed by ZEC that will most certainly improve the October 2010 general elections if used properly. It was observed that ZEC, with the assistance of the United Nations Development Programme (UNDP), had established the Observers Media and the Results Centre at Bwawani Hotel. This centre was specifically set to receive and air out all the results from the constituencies. TEMCO noted it as a commendable initiative to extend access of the results declaration process to the media, observers and the public. If it will be used in the October 2010 general elections it will clear doubts on the controversies that had surrounded the result declaration stage in the past three elections.

TEMCO also noted that the Zanzibar Electoral Commission displayed the Permanent Voter Register (PVR) from 14th June to 20th June, 2010. The exercise was conducted in all Zanzibar constituencies to

allow voters to check their details and to address complaints that cropped up. ZEC publicized the exercise through Television Zanzibar (TVZ), Sauti ya Tanzania Zanzibar (STZ) and the Zanzibar Leo Newspaper. All political parties also sensitized their members of the importance of checking their names and taking the necessary measures to address any ensuing problems. TEMCO observed that the exercise was conducted peacefully and effectively compared to the 2000 and 2005 elections where voters were given a very short time to check their names prior to voting. Unlike in previous elections, there were no complaints of registration of unqualified voters such as foreigners and persons below 18 years of age. Most of the complaints were related to typographical errors and they were solved in time by the ZEC technical team. If this exercise will be replicated in the October 2010 general elections it will also clear doubt of having the list of unqualified voters, thus getting a precise list of people qualified to vote.

Furthermore, TEMCO Observers reported that during the referendum the role of the Police Force was equally commendable. Polling stations had adequate uniformed and unarmed policemen and policewomen who did their work meticulously. TEMCO observed that in comparison with the previous elections, the Police personnel demonstrated an acceptable level of professionalism and integrity in executing their duties and responsibilities at the polling centres and stations. TEMCO pointed out the following as evidence for good conduct of the Police force:

- Some police personnel helped the

voters to locate their polling stations

- They helped the elderly, expecting mothers, the sick and the disabled during the voting process
- Almost all police officers used a voter-friendly language
- There was satisfactory cooperation and interaction between the police officers and Referendum Assistant Officers as well as Referendum Observers

In light of what was observed on the Referendum voting day, TEMCO pointed out that in comparison with the 1995, 2000 and 2005 elections, the Tanzania Police Force showed improved professional conduct and competencies in policing the elections.

If this will be replicated in the October 2010 general elections, Zanzibar will be able to hold credible and peaceful elections. Thus, if the rules and procedures guiding the elections at all stages will be followed as it was observed during the referendum, Zanzibar will most certainly hold free and fair elections come October.

## 5. EDITORS NOTE: THE MARIDHIANO PROCESS SHOULD NOT END WITH THE REFERENDUM OUTCOME

The Zanzibar Referendum, which was held on 31st July 2010, was born out of an extraordinary meeting at the State House between President Amani Karume and CUF Secretary General Seif Sharif Hamad on 5th November, 2009. Although what was discussed in the meeting was not made public, it was reported that the two leaders had reached a consensus, which is locally known as maridhiano. Both President Amani Karume and Maalim Seif Sharif Hamad convened and addressed their members in public rallies echoing that they were ready to bury their differences and work together as Zanzibaris. On the basis of Maridhiano, the leader of the opposition in the House of Representatives Hon. Abubakari Khamis Bakari moved a motion in January 2010 calling for a bill that could allow a constitutional amendment to form a Government of National Unity. A referendum bill was therefore tabled

and it was unanimously endorsed by the House of Representatives on 30th March 2010 and later signed by the President. The unanimous endorsement of the Maridhiano by the people's representatives brought an impression that the Zanzibaris were tired of the long drawn political hostility and were ready to move forward as one people.

There are indications, however, that the maridhiano process was not well received by all Zanzibaris. For example, although democracy allowed people to vote in the Referendum the manner they saw fit, still common sense should have urged all Zanzibaris to follow the wishes of their leaders from the two major parties: Chama Cha Mapinduzi and the Civic United Front. As such, the campaign stage and even the referendum results have produced

different interpretations and reactions. TEMCO Observers reported that although the top leadership from the two major parties and the Committee of Six worked tirelessly to educate the people on why they should vote for the Government of National Unity, still there emerged an underground 'No' campaign.

Unofficial camps of supporters and those against the Government of National Unity were formed a few days before the Referendum. The spirit of maridhiano made the pro-Yes camp legitimate to conduct open campaigns in the Isles. Attempts were made, however, to vilify the pro-No camp which then resorted to an underground cover. For whatever strategies used, the pro-No camp managed to salvage 33.6 percent of the total votes. This number could have been bigger if an open 'No' campaign was allowed. Now, these people are either consciously against the Government of National Unity or they do not understand why it should be formed. What is important to note is that 33.6 percent of all voters cannot be considered insignificant given the fact that the coalition government to be formed is expected to embrace national values such as unity, solidarity, peace and tranquillity in the Isles.

Another important segment of the population that we must consider under this analysis is 28.1 percent of the total registered people who did not turn up to the polling stations. We cannot naively generalize that these voters do not support the maridhiano process but so many questions remain unanswered as to why the often politically active populace was suddenly cold and cynical to this extraordinary and history-making event! Even for those who voted, TEMCO Observers

noted that unlike in the previous elections, there were no enthusiasm and eagerness of the public to know the results as soon as they were posted at the polling stations.

The last segment in our analysis is that of voters who spoiled their votes. Looking at the sample of the voting paper, it was so simply designed that every sane person can understand where to put a tick. However, it is surprising to see that 8,721 votes, which are equal to 3 percent of the total votes, were spoilt. Conspiracy theorists may argue that some of the voters had intentionally spoiled their votes for different reasons. If we can state the results the other way round we discover that in simple terms one can say that out of 407,669 Zanzibaris who were qualified to vote in the Referendum only 188,705, which is only 46.2 percent, voted for the Government of National Unity. On the other hand, if we take those who voted 'No' and those who did not vote at all together they make up 210,233, which is 51.5 percent of the total voters in Zanzibar. In simple terms, we can say over 50 percent of Zanzibari voters did not support the Maridhiano initiative. This should not be a cause to dissuade the positive trend the maridhiano initiative has taken but it should be considered as a toll challenge to leaders when they begin to share power.

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**...over 50 percent of Zanzibari voters did not support the Maridhiano initiative**

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**One of the placards displayed by the NO Camp as was photographed by a TEMCO Observer at Kisonge**

The above scenario suggests that the Maridhiano is not felt in the same way by all Zanzibaris. In his address to the Nation one day before the Referendum was held, President Amani Karume said that there were hearsays among some Zanzibaris that the outgoing President Karume has 'sold' the country through the Maridhiano process. President Karume himself, like anybody else did not understand to who this country is being sold. However, people's perceptions shape public opinion and they can act as a stumbling block if not dealt with properly. Our suggestion is that the Maridhiano process should not end with the triumph of the 'Yes' vote in the Referendum but should be extended to the grassroots level. It

should be continuous as a nation building process to make people understand the value of peace, unity and working together to improve the socio-political and economic situation of Zanzibar. If the Maridhiano process will not be embraced after the coalition Government is formed, the impasse may take a different form within the new Government causing the backtracking of the historical progress that the Referendum outcome has launched.

# THE TANZANIA ELECTION MONITORING COMMITTEE



Zanzibar