

# **TANZANIA ELECTION MONITORING COMMITTEE**

**TEMCO**



**REDET - LEAD AGENCY OF TEMCO**

**REPORT ON THE 2015 ELECTION IN TANZANIA**

**MAY 2016**

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## LIST OF ABBREVIATIONS

AATZ	Action Aid Tanzania
ACT-Wazalendo	Alliance for Change and Transparency
ADA-TADEA	African Democratic Alliance -Tanzania Democratic Alliance
ADC	Alliance for Democratic Change
AFP	Alliance for Tanzania Farmers Party
ANGOZA	Association of Non-Governmental Organisations in Zanzibar
APPT-Maendeleo	African Progressive Party of Tanzania
AROs	Assistant Returning Officers
ASP	Afro-Shirazi Party
AU	African Union
BAGODE	Baraka Good Hope Orphans Development
BAKWATA	National Muslim Council of Tanzania
BAWACHA	CHADEMA Women Council
BBC	British Broadcasting Corporation
BVR	Biometric Voter Registration
CAG	Controller and Auditor General
CCK	Chama cha Kijamii
CCM	Chama cha Mapinduzi
CCT	Christian Council of Tanzania
CEMOT	Coalition on Election Monitoring and Observation in Tanzania
CHADEMA	Chama cha Demokrasia na Maendeleo
CHAUMMA	Chama cha Ukombozi wa Umma
CHAUSTA	Chama cha Haki na Usitawi
CHAVITA	CHADEMA Youth Council
CHAVITA	Tanzania Association of the Deaf popularly
CHAWATA	Association of PWDs
CRC	Constitutional Review Commission
CSO	Civil Society Organisation
CUF	Civic United Front
CWT	Tanzania Teachers Union
DED	District Executive Director
DEP	Democratic Empowerment Project
DP	Democratic Party
EAC	East African Community
EATV	East Africa Television
EEA	Election Expenses Act
EMB	Election Management Body
EOC	Election Observation Centre
EU	European Union
Ex.Com	Executive Committee
FBO	Faith Based Organisation
GNU	Government of National Unity
ICT	Information Communication Technology

ID	Identity Card
IFES	International Foundation for Electoral Systems
IRI	International Republican Institute
IT	Information Technology
ITV	Independent Television
JUWAUZA	Organization for Disabled Women of Zanzibar
KDPA	Kigoma Development Promotion Agency
LEGCO	Legislative Council
LHRC	Legal and Human Rights Centre
LTO	Long Term Observer
M4C	Movement for Change / Magufuli for Change
MCT	Media Council of Tanzania
MP	Member of Parliament
NCCR-Mageuzi	National Convention for Construction and Reform
NDI	National Democratic Institute
NEC	National Electoral Commission
NED	National Endowment for Democracy
NIDA	National Identification Authority
NLD	National League for Democracy
NRA	National Reconstruction Alliance
OMR	Optical Mark Recognition
OSIEA	Open Society Initiative for Eastern Africa
PCCB	Prevention and Combating of Corruption Bureau
PMO-RALG	Prime Minister's Office - Regional Administration and Local Government
PNVR	Permanent National Voter Register
PPRA	Public Procurement Regulatory Authority
PWD	People with Disability
RECs	Regional Election Coordinators
REDET	Research and Education for Democracy in Tanzania
REOC	Regional Election Observation Coordinator
ROs	Returning Officers
SADC-CNGO	Southern African Development Community Council for Non-Governmental Organisations
SEOM	SADC Electoral Observation Mission
SPSS	Statistical Package for the Social Science
STO	Short Term Observer
SUMANGO	Sumbawanga Non-Governmental Organisations
TACCEO	Tanzania Civil Society Consortium on Election Observation
TADEA	Tanzania Democratic Alliance
TAMWA	Tanzania Media Women Association
TANESCO	Tanzania Electric Supply Company Limited
TANU	Tanganyika African National Union
TAWLA	Tanzania Women Lawyers Association
TBC	Tanzania Broadcasting Corporation

TCD	Tanzania Centre for Democracy
TCRA	Tanzania Communications Regulatory Authority
TEC	Tanzania Episcopal Conference
TEMCO	Tanzania Election Monitoring Committee
TGNP	Tanzania Gender Networking Programme
TIMS	TEMCO Information Management System
TLP	Tanzania Labour Party
TLS	Tanganyika Law Society
TPF	Tanzania Police Force
TTU	Tanzania Trade Union
TV	Television
UDP	United Democratic Party
UKAWA	Umoja wa Katiba ya Wananchi
ULINGO	Coalition of Women MPs
UN	United Nations
UNDP	United Nations Development Programme
UPDP	United Peoples' Democratic Party
USAID	United States Agency for International Development
UWZ	Association of PWDs in Zanzibar
VE	Voter Education
ZAFELA	Zanzibar Female Lawyers Association
ZANAB	Zanzibar National Association of the Blind
ZANID	Zanzibar National Identity Card
ZANVERG	Zanzibar Voter Education Reference Group
ZEC	Zanzibar Electoral Commission
ZGC	Zanzibar Gender Coalition
ZLS	Zanzibar Law Society
ZNP	Zanzibar Nationalist Party
ZPPP	Zanzibar and Pemba Peoples' Party
ZYF	Zanzibar Youth Forum

# **CHAPTER 1**

## **TEMCO'S ELECTION OBSERVATION ARCHITECTURE**

### **1.1 Background and Context**

Tanzania Election Monitoring Committee (TEMCO) is a domestic election observation group which is independent, citizen-based, non-partisan and impartial in the conduct of its activities. It was founded in 1994 by 24 like-minded organisations whose interest and commitment were driven by a common desire geared at enhancing and nurturing electoral democracy in Tanzania. The founding organisations include the Research and Education for Democracy in Tanzania (REDET) programme of the University of Dar es Salaam, National Muslim Council of Tanzania (BAKWATA), Tanzania Episcopal Conference (TEC), Christian Council of Tanzania (CCT) and Tanzania Teachers Union (CWT).

The membership of TEMCO has considerably increased from 24 organisations in 1994 to 183 in 2015 (See Annex 1). The profile of members is quite diverse and heterogeneous, consisting of civil society organisations, faith based organisations, trade unions, academia and business entities. TEMCO has monitored and observed all general elections and many by-elections organised by the National Electoral Commission (NEC) since 1992 when the United Republic of Tanzania reverted to political pluralism which paved the way to multiparty elections. Similarly, TEMCO has observed all electoral processes in Zanzibar, including the 31st July, 2010 referendum which led to the birth of the Government of National Unity (GNU) in Zanzibar. The lead agency of TEMCO is one of its founder members, the Research and Education for Democracy in Tanzania (REDET), which provides day-to-day technical and administrative support. At the policy decision making level, TEMCO has an Executive Committee (Ex.Com) which has 16 members drawn from member organisations.

### **1.2 Mission and Objectives**

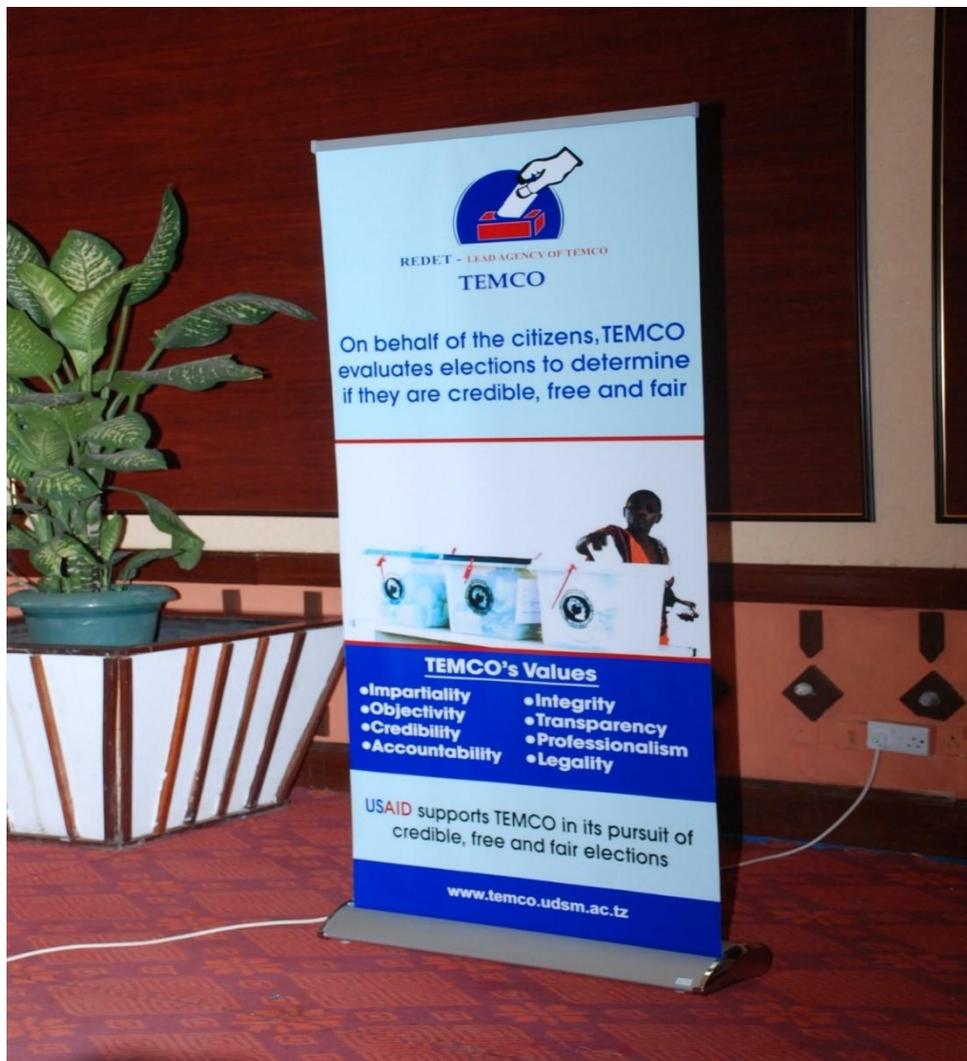
On behalf of the citizens, TEMCO objectively and impartially observes elections to determine the extent to which they are peaceful, credible, free and fair. Moreover, TEMCO uses conventional criteria to determine the degree to which the election results reflect the free expression of the will of the people. TEMCO has five mutually supportive and reinforcing specific objectives which are to:

- (i) monitor and observe the whole electoral process, including constituency setting, voter registration and voter register updating, intra-party nominations (party primaries), campaigning, voting, vote counting, declaration of results, and assessing the final election results;
- (ii) observe and assess the fairness of the administration of the elections in general, especially the impartiality of the legal infrastructure (the electoral laws, regulations and directives), the electoral machinery (Electoral Management Bodies-NEC and ZEC), supporting state institutions and the state machinery for law and order;
- (iii) assess the fairness in the allocation and use of relevant state resources by the contending political parties, especially incumbents and public media (government radio, television and newspapers);
- (iv) assess the extent to which the elections can be said to have been credible, free and fair; and

- (v) take stock of the major lessons distilled from the elections by different stakeholders with a view to improving electoral efficacy and fairness as well as to ensure the politics of peaceful competition in future elections.

### 1.3 Scope of Observation

TEMCO's methodology and techniques for election observation builds on scientific approaches developed by the political scientists at the University of Dar es Salaam since 1965 for studying electoral processes. The scope of TEMCO election observation includes a focus on the entire electoral cycle, consisting of: (i) demarcation of electoral boundaries; (ii) intra-party nominations; (iii) nominations by the Election Management Bodies (EMBs); (iv) conduct of election campaigns; (v) Election Day activities; and (vi) post-election developments. The observation lenses also focus on the participation of women, the youth and people with disability as well as the conduct of the print, electronic and social media platforms.



*TEMCO Mission and Values*

The major thrust of TEMCO is to build voter confidence and participation as well as to facilitate oversight of the electoral processes. Impartiality, integrity, objectivity, credibility, transparency

as well as professionalism, legality and accountability are the values that govern the behaviour and conduct of TEMCO’s observers.

### 1.4 Benefits of Observation and Assessment Criteria

In observing the 2015 general elections, TEMCO was motivated by the conviction that objective monitoring and observation of elections by impartial and autonomous domestic election observation groups is important in order to: (i) build and consolidate democracy and democratic governance; (ii) strengthen democratic institutions; (iii) promote trust in the democratic process; (iv) enhance the legitimacy of the government that emerges from elections; (v) promote and protect the civil and political rights of the electorate and the citizenry in general; (vi) detect and deter electoral manipulation, fraud, intimidation and violence; (vii) expose electoral irregularities and problems if they do occur; (viii) encourage citizens/civil involvement in the electoral process; (ix) improve the quality of elections; and (x) recommend areas requiring reforms in the management of elections to relevant state and non-state institutions.

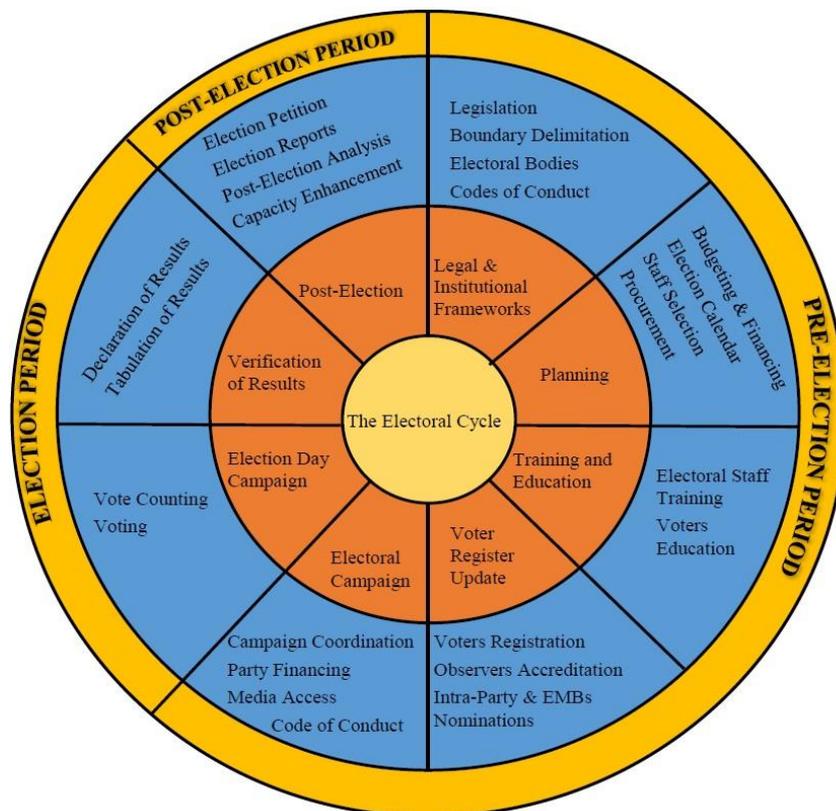


Figure 1.1: Tanzania Electoral Cycle

In determining the extent to which the 2015 general election was credible, free and fair, TEMCO election observation mission devoted attention to a number of assessment criteria and indicators, the main ones being:

- (i) the degree to which the legal framework, including the governing laws, rules and regulations either promoted or undermined the integrity of the electoral process and internationally recognised rights;

- (ii) transparency in the electoral system and citizenry participation in the boundary delimitation process;
- (iii) independence and impartiality of the EMBs, including recruitment and training of their staff as well as access to the bodies' information and documents;
- (iv) the extent to which the legal framework and procedures for voter registration were clearly stipulated and enforced to protect the right to register;
- (v) the degree of effectiveness and efficacy of voter education by EMBs, CSOs and political parties;
- (vi) the extent to which political parties and candidates conducted campaigns freely but within the ambit of the laws;
- (vii) the degree to which electoral laws, rules and regulations, including the Election Expense Act, were enforced;
- (viii) the extent to which the print, electronic and social media promoted access to information and was free to play an impartial and objective role in covering electoral issues; and
- (ix) the extent to which electoral disputes resolution took place in accordance with the principles of the rule of law.

### **1.5 Observation Architecture for 2015 Election**

The secretariat for TEMCO election observation mission was established in October 2014. The members of the Secretariat are shown in Annex 6. The operational framework, including LTOs deployment plan for the observation of Tanzania 2015 general elections was developed and approved by the Executive Committee in November, 2015. The recruitment, selection, appointment and training of 201 Long Term Election Observers (LTOs) were conducted from February 14th, 2015 to February 16th, 2015. A team of 161 LTOs was deployed between April 2015 and July 2015 to observe the Biometric Voter Registration process, while another team of 150 LTOs was deployed in September 2015 to observe campaigns, voting, vote counting and declaration of results.

The voter registration process was observed in 161 constituencies on Tanzania Mainland and Zanzibar. An interim statement on the initial findings of TEMCO election observation mission regarding the observation of the BVR process was issued to the public via a press conference report in August 2015. A comprehensive report on the voter registration process was later produced and disseminated.



*TEMCO press conference held on 14th February, 2015 to brief the public on election observation. Left to Right: USAID Elections Specialist, Alex Mintah; TEMCO Project Manager, Benson Bana; and Political Analyst, Lupa Ramadhani.*

All TEMCO observers were required to undergo serious training and only those who demonstrated mastery of the learning packages were appointed to serve either as LTOs or STOs. The training for the observation of the BVR process was for two days whereas the duration of training for LTOs and STOs for the general elections was, respectively, four days and one day.



*TEMCO Chairperson, Prof. R. Mukandala, giving the opening remarks in LTOs training session*

The training package for the LTOs covered a number of topics; the main ones were: (i) the legal and institutional frameworks for 2015 Tanzania elections; (ii) TEMCO election

observation instruments; (iii) TEMCO, NEC and ZEC codes of conduct for election observers; (iii) observers' duties and responsibilities; and (iv) election observation report writing. TEMCO code of ethics and conduct for LTOs and STOs is appended as Annex 2.



*A section of LTOs in a training and learning session*

The resource persons for the training of LTOs were political scientists from the University of Dar es Salaam, an election expert from the National Electoral Commission, lawyers from Zanzibar Law Society (ZLS) and Tanganyika Law Society, as well as ICT experts from CEMOT.



*Margreth Bwathondi-Mbilinyi seeking for clarification during LTO's training session*

Each region had a Regional Election Observation Coordinator (REOC) whose major role was to coordinate the election observation work in the region and establish effective working relationships and networks with electoral stakeholders in the region. Regional Election Observation Committees (REOCs) were re-established or re-invigorated in all regions. Each REOC had twelve members, including all LTOs in the region, and representatives of TEMCO member organisations in the respective region. TACCEO observers, wherever present, were also invited to attend in recognition of the working relationship established through the Coalition on Election Observation and Monitoring in Tanzania (CEMOT). Three REOC meetings were convened in each region during the election observation period (September to October 2015), hence a total of 90 meetings were held, involving 1,080 members. The meetings, among other matters, facilitated the sharing of information among the LTOs and TEMCO member organisations in the regions, coordinated election observation work at regional level, approved LTOs regular reports, endorsed the names of people nominated to serve as STOs and offered advice regarding the deployment plan of observers on the Election Day. Members of TEMCO Executive Committees and the Secretariat conducted supervisory and monitoring visits in the regions and constituencies in order to ensure that the LTOs and REOCs were effectively executing their duties accordingly.



*TEMCO Management with LTOs after the Chairperson, Prof. R. Mukandala opened a training session*

TEMCO prepared and disseminated nine issues of newsletters for the purpose of informing the electorate, and the public in general, about the conduct of Tanzania 2015 electoral processes. The newsletters were uploaded on TEMCO's website whose outlook had undergone significant improvement and whose content and information are uploaded and updated on a regular basis. Social platforms, including Facebook, Instagram and WhatsApp were also used to disseminate electoral related information to internal and external audiences.



*Cover page of one of TEMCO Newsletters*

### **1.6 Deployment Plan for LTOs and STOs**

The deployment of LTOs and STOs was carried out using a purposive sampling plan whose design took into account the political profile and electoral political dynamics of the constituencies. A total of 161 LTOs were deployed on Mainland Tanzania to observe the voter registration exercise in their respective constituencies. Out of 265 constituencies, 161 (60.75%) had TEMCO observers for the Biometric Voter Registration Process (BVR). A total of 150 LTOs were deployed to observe the union general election processes, attaining a 56.6% coverage rate. NEC had 65,525 polling stations (63,525 on Tanzania Mainland and 1, 580 in Zanzibar). On the polling day, TEMCO deployed a total of 7,350 STOs, covering about 11.2% of the total polling stations. The detailed TEMCO election observation mission's deployment plan is appended as Annex 3.

### **1.7 Interim Statements on Electoral Processes**

TEMCO has a tradition of issuing preliminary statements at either the conclusion of a specific electoral process or the entire election.



*Members of the Press covering one of TEMCO Press Conferences*

A team of TEMCO experts, including the Project Manager, a Political Analyst, a Statistician, and a Media Analyst produced the interim statements which were approved by the Executive Committee. Two statements were produced after thorough analysis of data collected by the observers using the instruments designed for that purpose.



*Some TEMCO Ex.Com Members delivering an interim statement on the 2015 General Election*

The interim statement on the BVR process was issued on 23rd August, 2015 and the interim statement on the general elections was issued on 3rd November, 2015. The dissemination of the interim statements was carried out via the media, sent as mail to relevant stakeholders, and uploaded on TEMCO website.



*TEMCO Deputy Leader, Dr. Benson Bana delivering an interim statement on the BVR process*

## **1.8 Techniques for Collecting Electoral Data and Information**

A number of methods and techniques were used by TEMCO observers to generate information on the 2015 Tanzania elections. The use of multiple techniques in electoral data collection facilitated triangulation of methods and cross-validation of information.

### ***1.8.1 Field observation***

Observation was the main tool that was used by both the LTOs and STOs to gather information about various electoral processes, especially the intra-party nominations, campaigns and polling day operations. The observers had a comprehensive checklist-cum-guide which helped them to direct their eyes on specific electoral activities. The observers were trained to remain alert, actively follow up and record copiously all relevant events seen and information heard throughout the electoral process. The adage that “seeing is believing” was instructive to observers as they observed the electoral processes.

### ***1.8.2 Interviews***

The LTOs used in-depth interviews techniques to generate specific data in respect of the electoral processes which were carried out before they were deployed in the constituencies. In the light of the information gathered they were able to reconstruct stories in connection with delimitation of electoral boundaries and nominations within political parties. The interviewees included: (i) leaders of political parties; (ii) electoral officers; (iii) candidates for parliamentary and councillorship elections; government leaders and officers; (iv) commanders and officers of the Tanzania Police Force (TPF); Prevention and Combating of Corruption Bureau (PCCB); and (iv) leaders of civil society organisations, particularly those who were involved in facilitating voter education. The interviews generated useful information on the Tanzania 2015 electoral processes.

### 1.8.3 Documentary Review

The observers reviewed the documented sources of data that were made available to them by various authorities. The main documented sources of data included: (i) pieces of relevant electoral legislation; (ii) political parties' election manifestos and guidelines for the nomination of candidates; (iii) codes of conduct for election observers, issued by EMBs; (iv) relevant literature related to Tanzania's political economy; and (v) codes of conduct for political parties and candidates, issued by EMBs.



*TEMCO deployment plan: BVR and Constitutional Referendum*

### 1.8.4 Infusion of ICTs in TEMCO

The processes of collecting, transmitting and analysing electoral information received significant improvement following the infusion of Information Communication Technologies (ICTs) in TEMCO election observation work. The LTOs in the constituencies transmitted the data to a joint CEMOT Election Observation Centre (EOC) by sending structured text messages

to the short code using Magpi application. The LTOs used Magpi applications to send information they collected on the campaigns they attended using the mobile messaging services to EOC.

Both the LTOs and STOs used the technology to send information on the polling day operations to EOC. Moreover, communication between the LTOs and TEMCO headquarters was also made easy and effective through the use of Telerivet, which facilitated the creation of an automated professional instant mobile messaging platform. This facility not only streamlined mobile messaging but also created room for attaining effective communication in real time.

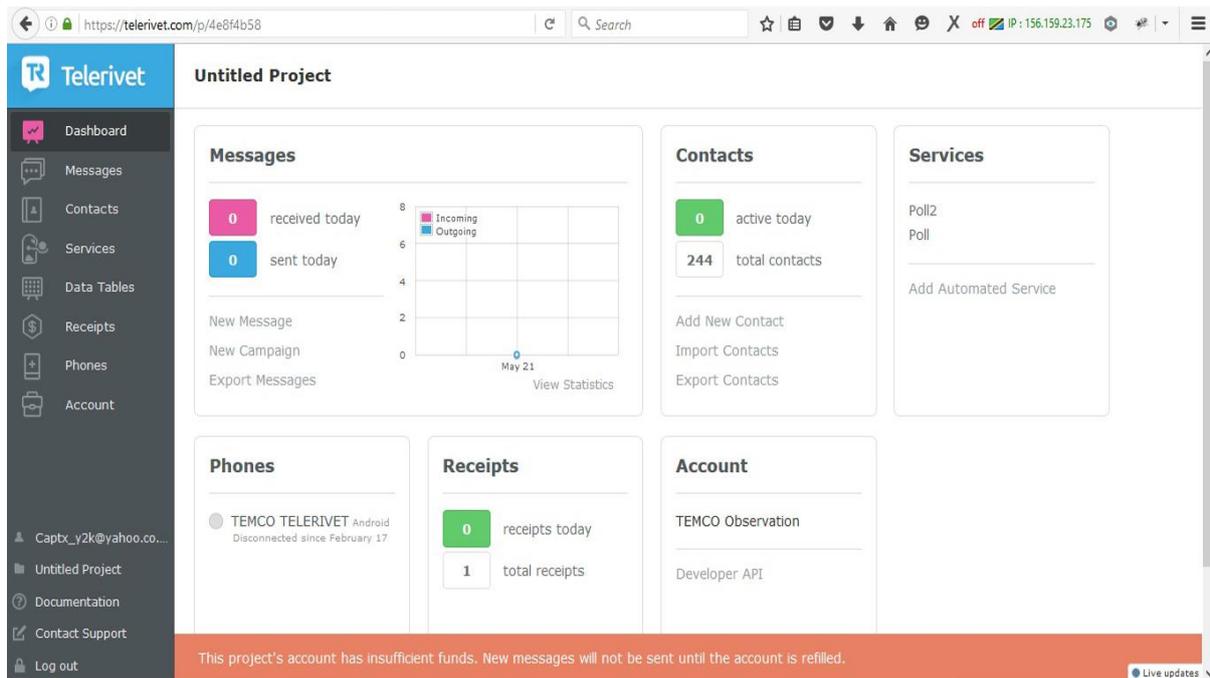
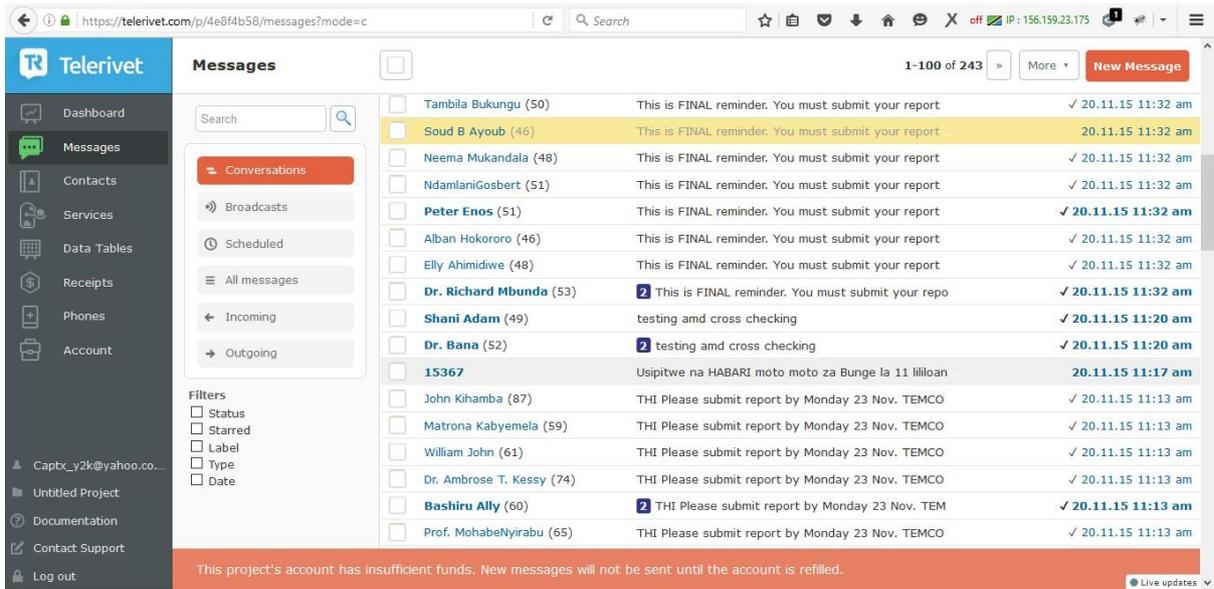


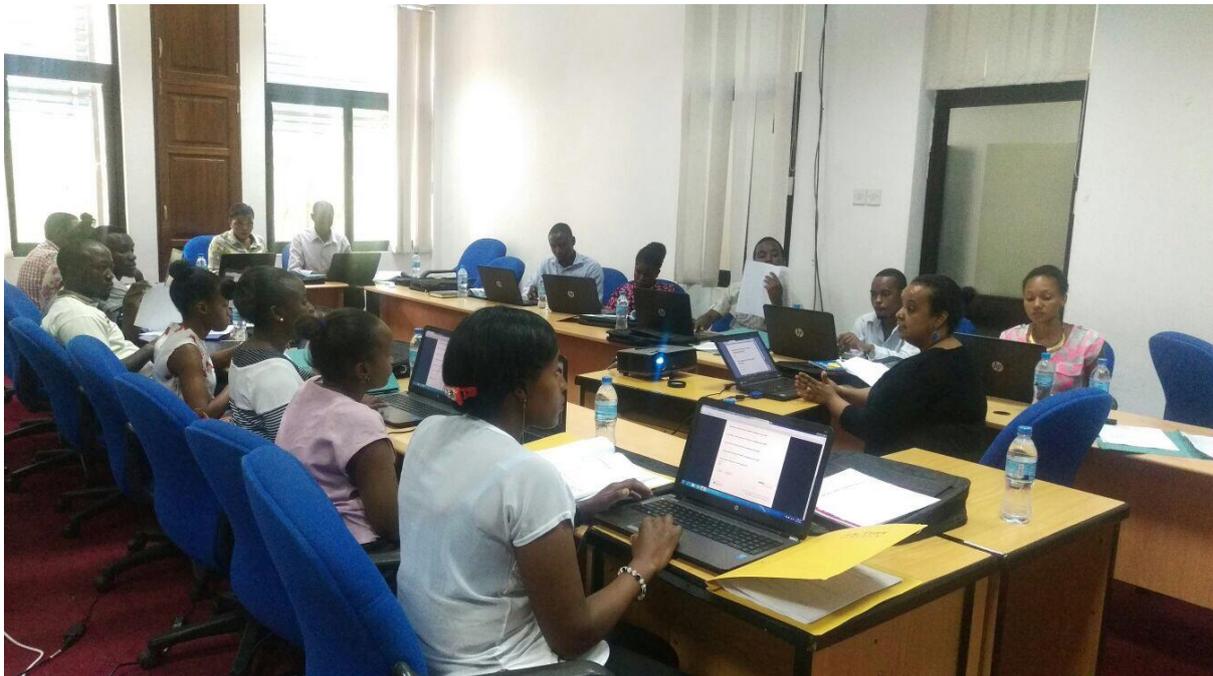
Figure 1.2: Telerivet Dashboard

The Telerivet Dashboard facility helped the LTOs to keep connected with TEMCO head office and key technical staff. Telerivet technology served as TEMCO's sms command centre, enabling staff to manage all mobile messaging effectively. In addition, TEMCO developed and used interactive social media platforms, including Facebook, WhatsApp, Instagram, Twitter, YouTube, etc. TEMCO Information Management System (TIMS) was also developed and installed. TEMCO website (<http://temco.udsm.ac.tz/>) was given a facelift, by adding new features, including news banner, visitors' counter, etc.



*Figure 1.3: Telerivet Inbox Messages*

Information which was captured by TEMCO's Long Term Observers (LTO) and Short Term Observers (STO) were processed by using the Google Forms. The data sets were produced for the use of TEMCO report chapter writers. This was the first time for the STOs polling day reports to be processed and analysed using ICTs.



*Data Clerks in a training session on the use of google forms for electoral data processing*

The use of the Google Forms significantly enhanced the number of respondents who generated information for TEMCO report on 2015 general elections and, indeed, transformed to a great degree the management of TEMCO field data.

Timestamp	A	B	C	D	E	F	G	H	I
11/2/2015 12:31:39	Emakulata M. John	0756003611/07	Abdallah J. Abdallah	658202063	Reginald Christonsia	779786007	Shinyanga	Kishapu	Kishapu
11/2/2015 12:47:05	Mattari A. Chambo	717083668	Ahmad A. Haji	754672740	Gatambwa D. Mukandala	682899710	Pwani	Mafia	Mafia
11/2/2015 14:16:14	Moris Francis	652030533	Ahamadi Ali	758672740	Gatambwa Dennis	682899710	Pwani	Mafia	Mafia
11/2/2015 15:04:42	Ester John	689359492	Vicky Moshi	753389247	Lukas Kiasasa	754389850	Mtwara	Nanyumbu	Nanyumb
11/2/2015 15:08:45	Revocatus Chikala	763417348	Amina T. Ali	777433761	Ramadhan Kingi	767589681	Rukwa	Nkasi	Nkasi K
11/2/2015 15:18:58	Emanuel Sikombe	754747544	Soud B. Ayoub	713181737	Dr. Victor Mwakulilo	784878495	Morogoro	Ulanga	Ulanga
11/2/2015 15:27:22	Maneno Said Sunzu	758110961	Emanuel Momburi	762660055	Ibreck Joseph	756416208	Tabora	Urambo	Urambo
11/2/2015 15:33:23	Paul M. Kilindu	767412453	Abdallah J. Abdallah	658202063	Reginald Christonsia	779786007	Shinyanga	Kishapu	Kishapu
11/2/2015 15:39:19	Nicodemus Francis	757382966	Graceana Romani	717251386	Shabani Simba	656315997	Kigoma	Kasulu	Kasulu I
11/2/2015 15:41:11	Eugenia M. Ngowi	654745700	Ahmad A. Haji	773277037	Gatambwa Dennis Mukar	682899710	Pwani	Mafia	Mafia
11/2/2015 15:43:58	Mwajumasaidi Hussein	788234453	Vicky moshi	755389247	Lukas Kiasasa	754389850	Mtwara	Nanyumbu	Nanyumb
11/2/2015 15:45:12	Khadija Mussa	759026931	Abdallah J. Abdallah	658202063	Reginald Christonsia	779786007	Shinyanga	Kishapu	Kishapu
11/2/2015 15:47:34	AISHA ALLY HASSAN	714683190	CHRISTABELLA P BUSH	713063293	DR RASUL A MINJA	759500005	Dodoma	Chamwino	Mtera
11/2/2015 15:56:07	Gerald A. Mwambele	767652823	Joseph P. Ibreck	756416208	Joseph P. Ibreck	756416208	Tabora	Tabora Mjini	Tabora I
11/2/2015 15:56:40	Said Mpanga	687080097	Soud. B. Ayoub	713181737	Dr. Victor Makulilo	784818495	Morogoro	Ulanga	Ulanga
11/2/2015 15:56:53	Rhoda N. Ntikwiza	685562851	Geneva Emanuel	767232418			Tabora	Sikongoe	Sikongoe

Figure 1.4: Google form dashboard

The data generated by LTOs was processed and analysed using the Statistical Package for the Social Science (SPSS) software. The data sets produced facilitated the generation of this report.

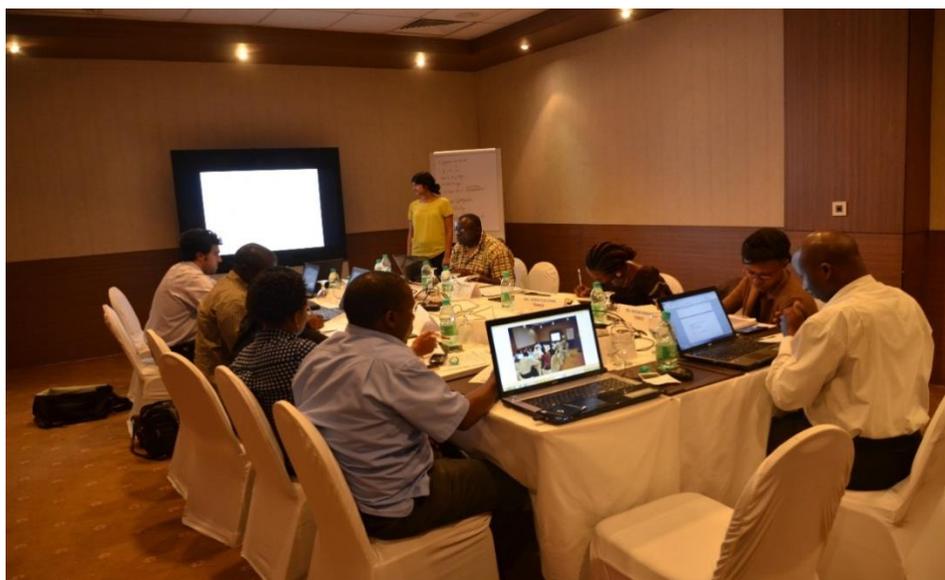
### 1.8.5 Networking and Collaboration

Domestic election observation groups, by virtue of their role and responsibilities, should endeavour to become continuous learning organisations. Learning usually happens through a myriad of approaches, including networking and collaborative initiatives. In the course of observing the elections, TEMCO election observation mission managed to establish working relationships with a number of international and local organisations.



TEMCO Project Manager in BVR and 2015 election discussions with EU-EEM delegates, Margarida Ramos and Xavier NOC, at REDET-TEMCO offices

The main international organisations were the National Democratic Institute (NDI), International Republican Institute (IRI), International Foundation for Electoral Systems (IFES), Southern Africa Development Community Council for Non-Governmental Organisations (SADC-CNGO), Open Society Initiative of East Africa (OSIEA) and National Endowment for Democracy (NED).



*NDI-REDET/TEMCO staff in a consultative session*

Moreover, TEMCO management was invited by a number of international election observation groups to address their delegations, including the European Union Election Observation Mission, Commonwealth Observer Group, SADC Electoral Observation Mission (SEOM), East African Community Election Observation Mission and the African Union Election Observation Mission.



*Former President of Nigeria Goodluck Jonathan, Deputy and Head of Commonwealth election observation group; with Dr. Benson Bana, TEMCO Deputy Head of Election Observation Mission*

At the local level, REDET, the lead agency of TEMCO, established a working relationship with LHRC which coordinated TACCEO, culminating to the creation of the Coalition on Election Monitoring and Observation in Tanzania (CEMOT) under which the Election Observation Centre (EOC) operated.

### **1.9 TEMCO Criteria for Assessing of Elections**

It is customary for TEMCO to issue a certificate that corresponds to an overall assessment of the conduct of the electoral processes based on the score and grades in respect of the quality, credibility, freeness and fairness. TEMCO election certificates range from a *Clean, Credible, Free and Fair Certificate* to an *Aborted Election Certificate*. The descriptions of the certificates are outlined below:

- (i) **Credible, Free and Fair Certificate:** This is awarded to an election that has very few irregularities or shortcomings which, in totality, do not at all affect the overall results. Broadly, it is a genuine election that reflects the free expression of the will of the people. The marks awarded to such an election range from 80% to 100%, which is equivalent to 'A' grade.
- (ii) **Qualified Free and Fair Certificate:** This is awarded to an election that is generally credible, free and fair but still has few irregularities and shortcomings which might work against the fortunes of some electoral stakeholders, namely voters, political parties and candidates. The marks awarded for such an election range from 60% to 79%, which is equivalent to 'B' grade.
- (iii) **Free but not Fair Certificate:** This is awarded to an election that permits free participation of the key stakeholders, voters, political parties and candidates but there are many instances where bigger parties, especially the ruling party, break rules with impunity, and in which favouritism works against fortunes of some candidates and political parties. Generally, the playing field is not level and legislation on campaign finance is not effectively monitored and enforced. The marks awarded to such an election range from 50% to 59%, which is equivalent to 'C' grade.
- (iv) **Unfree and Unfair Certificate:** This is awarded to an election that is marred by many serious flaws and irregularities related to non-compliance with some electoral laws, regulations, procedures and codes of conduct. It is an election with many management problems and instances of intimidation and favouritism. The marks awarded to such an election range from 40% to 49%, which is equivalent to 'D' grade.
- (v) **Totally Mismanaged Elections Certificate:** This is awarded to an election that is acutely disrupted or mismanaged to the extent that it is not possible to understand what happened. The marks awarded to such an election range from 1% to 39%, which is equivalent to 'E' grade.
- (vi) **Aborted Election Certificate:** This is awarded to an election which is terribly conducted, with utter disrespect to the electoral legislation, rule of law and human rights. It is characterised by serious intimidation and violence and/or fatal incidents to the extent that some political parties and candidates decide to withdraw from the election or take other measures. The marks awarded to such an election range from 0% - 0.9%, which is equivalent to 'F' grade.

## **1.10 Summary of the Report**

The report is organised into eleven chapters. Chapter one delves on the introductory remarks, illuminating TEMCO's roots and background, operational architecture, and the criteria that was used to assess the quality, credibility, freeness and fairness of elections. Chapter two is the prologue and context of Tanzania 2015 general elections. The chapter provides an overview of the major socio-economic and political issues and developments that had implication on the 2015 general elections, thus setting the stage for the rest of the chapters. The 2015 election took place twenty years after the re-introduction of political pluralism including multiparty elections in 1995. The fourth phase government was completing its term and the country was set to have a new president from either the ruling party (CCM) or opposition parties.

Chapter three discusses electoral issues related to the process of updating the Permanent National Voter Register (PNVR) using Biometric Voter Registration (BVR) technology which preceded other electoral processes.

Chapter four examines the legal framework and institutional arrangements for the union and Zanzibar elections, with a view to delineating the major strengths and weaknesses as well as the loopholes, constraints and challenges inherent in the legal and institutional regimes that could undermine the delivery of credible, free and fair election. Also the chapter assesses the managerial capacity and efficacy of the election management bodies, NEC and ZEC, in executing their constitutional mandates.

Chapter five addresses the nomination of candidates within political parties and at the level of EMBs. The chapter addresses the legal framework and related procedures that governed the nomination of candidates to stand for the political parties in elections at all levels. The internal measures that were in place to protect the electoral rights of different groups of people, including women, the youth and people with disabilities are critically examined.

Chapter six examines the conduct of election campaigns and the degree to which political parties and candidates complied with the provisions of the electoral laws and code of conduct on campaigns. Issues related to the regulation of campaign finance and expenditure, incidents of negative campaigning, contents of political parties' election manifestos and security arrangements at campaign rallies are addressed in this chapter.

Chapter seven covers the conduct of the media in its entirety, including, print, electronic and social media in covering electoral issues. The legal framework for the media, including its degree of guaranteeing independence and freedom to the media so that they play an impartial and objective role during the election period is analysed in the chapter. Chapter eight focuses on the extent to which women, the youth and people with disability participated in elections as voters and candidates. It explores special measures that were undertaken by different electoral stakeholders to ensure de facto equality between men and women as well as de facto equality for people with disability.

Chapter nine is specifically devoted to the Zanzibar 2015 election quagmire which has generated more heat than light among electoral stakeholders. In the light of stakeholders' opinions, the chapter provides insights into the powers of the ZEC Chairperson, independence of ZEC, the relationship between NEC and ZEC, and the authority of the Union Government over Zanzibar affairs. The chapter situates the current Zanzibar political stalemate within the island's past electoral politics and objectively sheds some light on the unfolding political situation.

Chapter ten encapsulates the process of voting, vote counting, declaration of the results and the unfolding post-election developments and episodes that indicated popular response to the whole process.

Chapter eleven ties together all the analysis and discussions related to TEMCO's findings on each component of the Tanzania 2015 general elections, ranging from the delimitation of electoral boundaries to post-election developments and episodes. The overall assessment in respect to all electoral processes, stretching from boundaries delimitation to the declaration of results and post-election developments, is carried out with a view to reaching the verdict on Tanzania 2015 general election.

### **1.11 Acknowledgements**

The production of this report would not have been possible if TEMCO did not have support from various organisations and individuals. The work leading to the production of the report needed adequate funds, ample time and a lot of dedication. TEMCO would like to recognise, with appreciation, the institutions and many people who contributed financially, intellectually and in other ways, to the observation of Tanzania 2015 general elections and production of the report.

The funding for the observation of Tanzania 2015 general elections came from the generous support of the American people through the United States Agency for International Development (USAID). We are grateful to them for their financial support which enabled TEMCO to set up a Secretariat and to meet the expenses of the election observation mission. We also wish to acknowledge, with appreciation, the valuable technical support that was provided by the National Democratic Institute (NDI) to enable the infusion of ICTs in TEMCO's election observation work. The University of Dar es Salaam management deserves special mention in this report for providing TEMCO the usual base, legitimacy and support as it had done previously. TEMCO's work benefitted a lot from the immense wide-ranging expertise that the University offers. Our appreciation is extended to the 182 TEMCO member organisations for the support that they have always extended to their election observation mission and the Secretariat. This support includes, among others, a pool of potential election observers from which TEMCO management selected and appointed the Long Term Observers (LTOs) and Short Term Observers (STOs). Special thanks go to the Long Term Observers (Regional Coordinators and Constituency Observers) who dedicated their valuable time to impartially observe the 2015 electoral processes. Their teamwork spirit and diligence to duty

are highly appreciated. We are particularly grateful to the STOs who did plausible work on October 25th, 2015 in respect of polling day operations at polling stations.

It is obvious that without the collegiality, cooperation and support of the electoral management bodies, namely the National Electoral Commission (NEC) and Zanzibar Electoral Commission (ZEC), TEMCO's work would have been difficult. We are grateful to the Electoral Commissions for the timely accreditation, without which observation would have been stalled. In the field, the Returning Officers and electoral staff proved very useful data and feedback, and many of them responded positively to observers' requests. We acknowledge the cooperation REDET, the lead agency of TEMCO, received from the Legal and Human Rights Centre (LHRC), the coordinator of TACCEO, which led to the establishment of CEMOT under which the Election Observation Centre (EOC) carried out its activities. The data from EOC have enriched this report.

We gratefully acknowledge a team of chapter writers for their dedication and commitment to analyse and discuss the field data as they assessed the quality and credibility as well as the freeness and fairness of the electoral processes. Special thanks in this regard go to Prof. Rwekaza Mukandala, Dr. Benson Bana, Dr. Lupa Ramadhani, Dr. John Jingu, Dr. Victoria Makulilo, Dr. Ambrose Kessy, Mr. Richard Mbunda, Dr. Deogratias Rugaimukamu, Prof. Bernadeta Killian, Mr. Charles Kayoka, Dr. Bruce Heilman, Mr. Audax Kweyamba, Dr. Rasul Minja, Dr. Edwin Babeiya and Dr. Bruce Heilman.

We express our sincere thanks to TEMCO core management team under the able leadership of Prof. Rwekaza Mukandala, Head of TEMCO Election Observation Mission and REDET Chairman, for his guidance and able leadership; Dr. Benson Bana, Project Manager; Dr. Lupa Ramadhani, Political Analyst; Dr. Deogratias Rugaimukamu, Statistician; Mr. Dunia Nassoro, Accountant; Ms. Sandra Tetty, Administrative Officer; Ms. Judith Kapinga, Legal Consultant; Ms. Perpertia John, IT Expert; Mr. Herbert Tenson, Monitoring and Evaluation Expert; Mr. Captain Patrick, ICT expert, Mr. Charles Kayoka, Media Consultant; Ms. Shani Adam, Administrative Assistant; and Mr. Julius David for the hard work they put in to ensure smooth running of the day-to-day activities of TEMCO. However, TEMCO takes full responsibility for this report including conclusions, recommendations, errors and omissions therein. The report does not necessarily reflect the opinion or official positions of individuals and institutions mentioned.

This report, therefore, is a humble submission to the people of Tanzania and electoral stakeholders, including the Electoral Management Bodies (NEC and ZEC), governments, political parties, civil society organisations, faith based organisations, domestic and international election observers, and development partners. We hope that the report will contribute to improve future conduct and management of elections in order to meet international standards for credible, free and fair elections, in Tanzania.

## CHAPTER 2

### PRELUDE AND CONTEXT OF THE 2015 TANZANIA'S ELECTION

#### 2.1 Introduction

Elections do not take place in a vacuum; they are largely informed by the socio-economic and political circumstances of the time. The 2015 election took place twenty years after the re-introduction of political pluralism in Tanzania, including multiparty elections. This chapter analyses the context in which the 2015 election was organised and conducted. The political milieu in the run-up to the elections was shaped by a number of questions and events in both Zanzibar and the Mainland, setting the stage for the most competitive and lively elections since the reintroduction of multipartyism.

For Zanzibar, there was hope that the Government of National Unity would, as it did in 2010, translate into peaceful unproblematic elections. On the Mainland, rising frustration and discontent with Kikwete's second term pointed to the likelihood of a much stronger electoral challenge by opposition parties. The constitutional review process and the political drama of internal party factional fights and leadership struggles also focused public attention squarely on politics. However, the growing strength of opposition political parties had not significantly shaken the incumbency and CCM's control of the executive and the legislative branches in the Union Government. More or less similar advantages of incumbency were also evident in Zanzibar.

As political parties started their campaigns for the 2015 election, Tanzania was braced for spirited electoral competition with political party supporters, both ruling and opposition, optimistic about their chances for victory. Several factors shaped the nature and conduct of the 2015 election, namely (i) GNU and electoral politics in Zanzibar, (ii) Performance of the fourth phase government, (iii) By-elections, (iv) the constitutional review process, (v) intraparty conflicts and realignments, and (vi) continued dominance of the ruling party, CCM. The totality of these factors and the ensuing politics are important in understanding the 2015 Tanzania elections.

#### 2.2 GNU and Electoral Politics in Zanzibar

The Government of National Unity (GNU), created after the 2010 elections, was the latest attempt to deal with a simmering political crisis in Zanzibar that came to a head with the reintroduction of multiparty elections in 1995. Disconcertingly, in the 1995 elections in Zanzibar, there were accusations that the election did not reflect the will of the people. Longstanding pre-colonial, colonial and revolutionary era politicised Arab-African identities were inflamed by the botched elections and CUF's belief that political competition was neither free nor fair (IFES 1995; ZEMOG 1995; Bakari 2001).



*Pioneers of the GNU in Zanzibar, H.E. President Dr. Ali Mohamed Shein with the First Vice President and Second Vice President*

CUF's demands for a new election were met by state repression, creating what was known as the political impasse that was finally breached by an agreement to form GNU after the 2010 elections. The GNU cooled tensions by incorporating CUF into the Zanzibar Government and doing away with the winner-takes-all practices of past elections. Nonetheless, secessionist stirrings were apparent as October 2015 approached. A radical movement called UAMSHO advocated for Zanzibar's independence from the Union Government, and after its ban by the government in 2012, series of violent demonstrations sparked off, culminating to death of a policeman and the burning of several churches.

### **2.3 Performance of the Fourth Phase Government (2005-2015)**

When the youthful and popular Jakaya Kikwete came to power (as President of the United Republic of Tanzania) in 2005 with 82% of the popular vote, he promised *maisha bora kwa kila Mtanzania* (better life for each Tanzanian). This call for improved living standards resonated with the electorate. While Kikwete's predecessor, Benjamin Mkapa had been successful in terms of creating the conditions for sustained economic growth, averaging around 7% per year during his two terms in office, there was little empirical evidence that the benefits of this growth was reaching Tanzania's poor.

The basic needs poverty rate remained stubbornly stuck at slightly over one third of the population throughout Mkapa's presidency (World Bank, 2015). *Maisha bora kwa kila Mtanzania* was a way of popularising Kikwete's government commitment to make sure that

the benefits of a growing economy would reach everyone. A number of initiatives like MKUKUTA (National Strategy for Growth and Poverty Reduction) and Kilimo Kwanza (Agriculture First) gave notice of Kikwete’s priorities to address poverty, especially rural poverty.



*Retired President Dr. Jakaya Mrisho Kikwete (2005-2010)*

The World Bank (2015) estimates suggested that Kikwete government’s emphasis on poverty reduction produced results, showing that the proportion of people unable to meet their basic needs declined from 34.4% in 2007 to 28.2% in 2011/2012, using Tanzanian national standards to measure poverty. The World Bank also noted slight improvement in the quality of life for most Tanzanians in areas such as access to education, lower infant mortality rates, and reduction of hunger. Nonetheless, judging from mass media reports and conversations on social media, the small practical gains associated with *maisha bora kwa kila Mtanania* were likely offset politically by unfulfilled rising expectations.

In 2010, Tanzania held its fourth election after reverting to multiparty politics. Voter turnout nose-dived from about 70% to about 43%. Empirical evidence showed that many factors contributed to the unprecedented low voter turnout in Tanzania’s electoral history. One of the main factors mentioned by many electoral stakeholders was the dissatisfaction of the performance of the fourth phase government, including unfulfilled promises by elected leaders. This is also demonstrated by the performance of the president in the 2010 election, as shown in Table 2.1.

*Table 2.1: Distribution of Presidential Election Votes in 2010 Elections*

<b>Presidential candidate</b>	<b>Political party</b>	<b>Votes</b>	<b>Percent</b>
<b>Jakaya Mrisho Kikwete</b>	CCM	5,276,827	62.84
<b>Wilbrod Peter Slaa</b>	CHADEMA	2,271,941	27.05
<b>Ibrahim Haruna Lipumba</b>	CUF	695,667	8.28
<b>Peter Kuga Mziray</b>	APPT-Maendeleo	96,933	1.15
<b>Hashim Rungwe Spunda</b>	NCRR-Mageuzi	26,388	0.31
<b>Mutamwega Mugayhwa</b>	TLP	17,482	0.21
<b>Fahmi Nassoro Dovutwa</b>	UPDP	13,176	0.16
<b>Total</b>		8,398,414	100.00

Source: National Electoral Commission (NEC), 2011

Data in Table 1 shows that CCM’s presidential candidate won the 2010 elections with almost 20% less votes compared to the 2005 elections. This shows that the performance of CCM and its presidential candidate was relatively low and the approval rating of the party and President Kikwete was progressively declining. This had serious implications to CCM as it grappled with the politics of the 2015 election.

In Mtwara, rising expectations that the newly found offshore natural gas would transform the area into a new “Dubai” helped to fuel confrontations with the government over the building of a natural gas pipeline to Dar es Salaam to produce electricity for the national grid. Local critics likened the move to “stealing” gas and in April and May 2013 demonstrations and deadly riots occurred in Mtwara that resulted in loss of life. CCM and government property was destroyed, and security forces were accused of using excessive force against suspected rioters.

A number of other challenges beset Kikwete’s second term as president and undermined CCM’s popularity. One of these key challenges was corruption. In particular, one case seemed to exemplify CCM’s increasing involvement with corrupt practices. In the Tegeta Escrow scandal, which was yet another in a long line of energy sector scandals, government officials made \$122 million in dubious payments from Tanzanian businessman James Rugemalira. As the Attorney General Fredrick Werema and Energy Minister Sospeter Muhongo defended the payments and denied any wrong doing, it emerged that Rugemalira had distributed billions of shillings to leading CCM politicians such as Anna Tibajuka the Minister for Land, Housing and Human Settlement Development, former ministers Andrew, William Ngeleja, Daniel Yona, and even religious leaders including Auxiliary Bishop Methodius Kilaini (Gray, 2015 and Butahe and Elias, 2014).



Tegeta Escrow Account saga victims and a survivor as depicted by a cartoonist<sup>1</sup>

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<sup>1</sup> This cartoon was published in one of the Newspapers

Due, in part, to live televised parliamentary sessions covering the Escrow scandals and popular discontent, Werema, Muhongo and Tibaijuka were forced to resign from their ministerial positions. Western donor countries, disappointed that the government was unwilling to take legal action against leading CCM political figures associated with the scandal, as was recommended by the Parliament, suspended nearly half a billion dollars in general budget support. The opposition political parties took this scandal very seriously and at times fierce exchanges of bitter words (*tumbili, mwizi, fisadi*) in the house, between the government and some opposition Members of Parliament, particularly David Kafulila, flared.

A string of confrontations pitting the government against local communities occurred in 2012 and 2013. In addition to the Mtwara gas riots, confrontations between local communities and gold mines took place in western Tanzania where security forces and the government were seen as taking sides with the multinational mining companies in disputes with people living near the mines. Accusations of victimisation of local communities by the security forces also surrounded governmental efforts to reduce elephant poaching, which caused unwanted negative international publicity for Tanzania due to rampant ivory smuggling.



*Key government leaders paid heavy accountability price for Anti-poaching crusade outcomes*

In an effort to bring poaching under control, a joint operation involving the police, army, wildlife rangers, intelligence agents, and local anti-poaching militia called “*Operesheni tokomeza ujangili*” was launched in October 2013. The following month it was abruptly stopped due to accusations of human rights abuse and complaints that local communities were being targeted and not the corrupt networks that were carrying out the ivory smuggling (Makoye, 2014). Persistent, widespread, and often lethal land conflicts, like fighting between peasants and pastoralists in Kilosa and a continuing land dispute between local communities and the Ortello Business Corporation in Loliondo, also pointed to problems in maintaining order and the inability of the government to find acceptable and peaceful ways to deal with land conflicts.

An upsurge of religious tensions was also evident during Kikwete's second term. Three years prior to the general elections, mob riots in Mbagala, Dar es Salaam, angered by stories of a Christian boy urinating on the Holy Quran, resulted in looting of property and burning of five churches. A Muslim religious leader closely associated with the Mbagala disturbances, Sheikh Issa Ponda and 52 members of the Jumuiya na Taasisi za Kiislamu were later arrested and brought to court regarding an unrelated dispute over Islamic community property. This created tension between the government and some Islamic groups and large crowds confronted the police at the courthouse during the trial.



*A controversial Muslim cleric Sheikh Issa Ponda addressing his followers*

At the beginning of 2013 a protestant Pastor in Geita was killed during a dispute between Christians and Muslims over the slaughtering of animals at the municipal abattoir. In May 2013 a bomb killed three and injured sixty at St. Joseph's Roman Catholic Church in Olasiti where the Vatican's ambassador and the Archbishop of Arusha were present.

Another area that seemed to be the centre stage of discontent was government's delivery of public services such as health, education, water, and electricity. A national doctors' strike in 2012 paralysed government health services and created great discomfort for people who could not access health services. As pressure built up with the public becoming increasingly polarised over who to blame for the strike, whether the government or the doctors, Steven Ulimboka, the leader of the doctors' strike was kidnapped and tortured by unknown assailants before being left for dead in a forest on the outskirts of Dar es Salaam. Ulimboka, however, was later found critically wounded and rushed to hospital where he recuperated after a considerable period. Mass Form IV failures, together with threats of a teachers' strike, haunted the education sector while water and energy supplies remained erratic, especially in Dar es Salaam. The water

shortage is critical and some accounts, including WaterAid, put it close to 20 million people lacking access to clean and safe water.

In an effort to deflect criticism of CCM's record of dealing with corruption, in 2011 President Kikwete pledged to clean up CCM and gave corrupt members 90 days to leave the party.



*Big CCM stalwarts who were in the public limelight for the party's cleaning up crusade*

The main success of this public effort to reinvigorate the party, and which was spearheaded by its Ethics Committee and called “kujivua gamba”, appeared to be associated with Rostam Aziz's July 2011 resignation from his Igunga parliamentary seat and his position in CCM's National Executive Committee (Butahe & Yamola 2014).



*Mr. Rostam Aziz, stepped out of parliamentary seat on claims of dirty politics*

Additionally, toward the end of 2014, CCM's Ethics Committee was empowered to prevent overzealous early campaigns for CCM's presidential nomination from such political heavyweights as Edward Lowassa, Bernard Membe, Fredrick Sumaye, January Makamba, Stephen Wasira, and William Ngeleja. In 2015, the Ethics Committee also played a role in winnowing down a large field of aspirants who were vying for CCM's presidential nomination.



*CCM presidential aspirants who were warned for early intra-party campaigns*

#### **2.4 By-Elections and 2014 Civic Elections**

Aziz's resignation from his Igunga parliamentary seat set off the first in a series of by-elections. This provided political parties with an opportunity to test their electoral strength and gain political momentum as they geared up for the general elections. In the hotly contested Igunga by-election held in October 2011, CCM managed to maintain the seat as Dalaly Kafumu beat CHADEMA's Kashindye Mwandu by 26,484 votes against 23,260 (National Electoral Commission 2011). The following year, after the death of the CCM parliamentarian for Arumeru East, CHADEMA gained the seat when Joshua Nassari won in another tightly fought election. In 2013, CUF maintained control of its Zanzibar Chambani constituency seat in parliament after the late Salim Khamis was succeeded by Yussuf Salim Hussein, who won in a landslide victory. In 2014, CCM won two by-elections by landslide victory in Kalenga and Chalinze, following the deaths of the previous members of parliament. The most notable of the 2014 by-elections was in Chalinze where President Kikwete's son, Ridhiwani, emerged victorious.

A final test of political party electoral prowess came in December 2014 with elections for local government leaders managed by Prime Minister's Office-Regional Administration and Local Government (PMO-RALG). As Table 2.2 shows, in the grassroots elections, CCM won by an overwhelming majority of 74.5% of streets and villages, whereas its closest rival CHADEMA, won about 16%. Despite losing about 3,000 grassroots leadership positions, CCM went into the 2015 election with a certain level of confidence of winning compared with the opposition political parties (Chidawali & Chibwete 2014).

*Table 2.2: Political parties' performance in grassroots level elections, 2014*

Political party	No. of streets won	No. of villages won	Total	Percent
<b>CCM</b>	2,116	7,290	9,406	74.5
<b>CHADEMA</b>	753	1,248	2,001	15.9
<b>CUF</b>	235	946	1,181	9.4
<b>NCCR-Mageuzi</b>	8	NA	8	0.1
<b>Total</b>	3,112	9,454	12,596	100.0

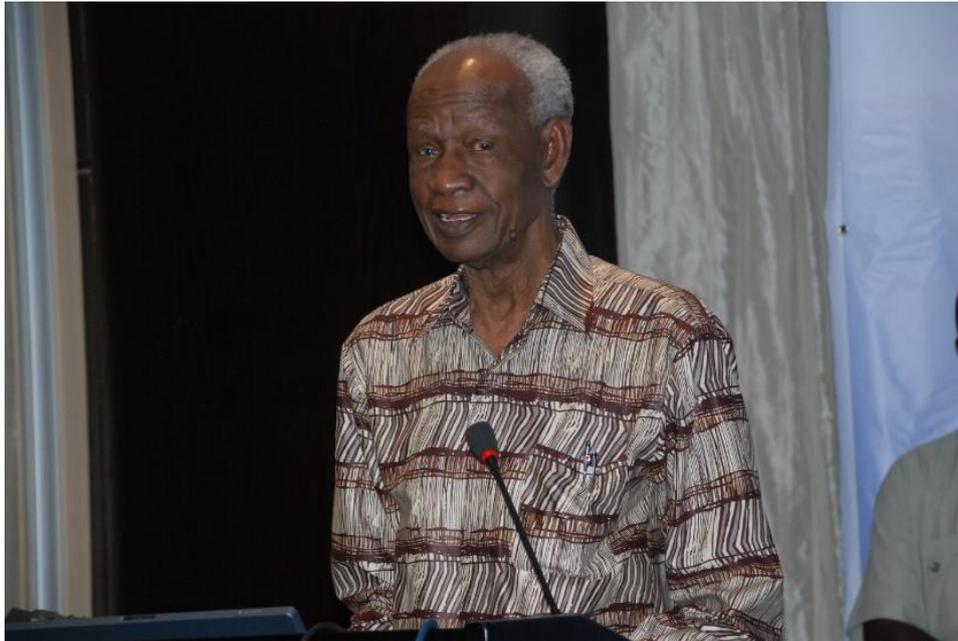
## 2.5 Constitutional Review Process

On 31st December, 2010, in a New Year's Eve speech, President Kikwete set in motion a key event that would have a major impact on the 2015 election. In that speech the President agreed to initiate a constitutional review process. The excitement surrounding the constitution making process politically mobilised society prior to the elections, while the divisions over what type of constitution Tanzania needed would be translated into the political coalitions that would compete for state power.



*President Kikwete (now retired) and President Shein inaugurating the proposed constitution*

Kikwete established a Constitutional Review Commission (CRC) consisting of 30 members, 15 from Zanzibar and the same number from the Mainland. Members of the CRC were drawn from political parties, civil society, religious organisations, trade unions, private businesses, women, youth and PWDs. The CRC was led by former Prime Minister Joseph Sinde Warioba to begin work in April 2012.

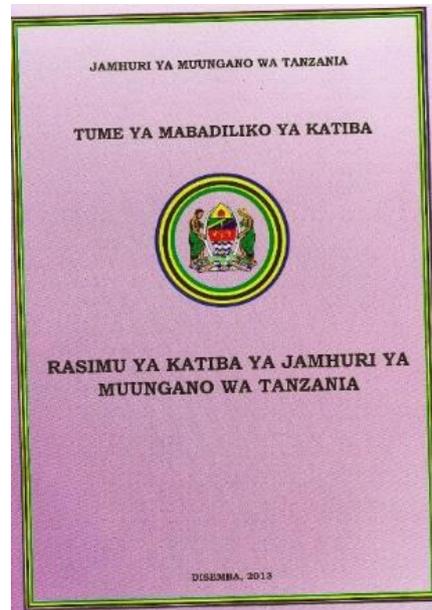


*Chairman of the Constitution Review Commission, Retired Vice President and Prime Minister, Joseph Sinde Warioba*

The CRC travelled all over the country holding hundreds of meetings to gather views about constitutional issues and to call attention to the constitution making process. It also reached out to the public and civil society groups via social media, telephone calls, e-mails and invited written submissions. It created a unique opportunity for citizens to engage in a national discussion on the country's future and how the political system should be structured. Approximately 1.4 million people participated in one way or another in this process. The commission released its first draft for a new constitution on 3rd June, 2013, and in the following month it was discussed in 169 constitutional review councils created at the district level. Based on changes recommended by the constitutional review councils, the commission produced a Draft Constitution that was submitted to the President on 30th December, 2013. The president then put together a fairly inclusive Constituent Assembly that included representatives from civil society but was nonetheless dominated by the legislators from Parliament and the Zanzibar House of Representatives. It was sworn in on 18th February, 2014 and after orientation and debate over procedure, it began debating the Draft Constitution 21st March, 2014.

The Constituent Assembly debates on the new constitution quickly became polarised on partisan lines. The procedural debates, arguments over Standing Orders, in particular whether votes would be secret (harder to impose party discipline) or public further divided the Constituent Assembly between the ruling and opposition parties. The critical moment was insistence of CCM that the structure of the government should override everything else and be tabled as agenda number one for discussion, instead of reviewing the Draft Constitution chapter by chapter. Owing to its majority, amid strong objections from particularly opposition political parties, CCM reinstated a two-government Union Structure with a three-tiered-government structure (Union, Mainland and Zanzibar) proposed by the CRC. As partisan debates intensified in the Constituent Assembly, two rival camps emerged. One was associated with

CCM, and was called Tanzania Kwanza, meaning “national interests first”. The name alluded to fears that a three-government structure would result to breaking up the Union. The second camp was formed by the opposition political parties CUF, CHADEMA, NLD and NCCR-Mageuzi, and was called UKAWA (Umoja wa Katiba ya Wananchi/ Defenders of a People’s Constitution).



*Draft Constitution of the United Republic of Tanzania*

UKAWA created a common purpose among leading opposition political parties and coordinated efforts to “defend” the “Warioba Constitution” which they claimed embodied the true wishes of the people of Tanzania. CCM’s Tanzania Kwanza camp whose numbers dominated the Constituent Assembly, adamantly insisted that the Assembly had the mandate to seriously review the Draft Constitution and to remove or add any articles. The UKAWA camp, on the other hand, was emphatic that the Constituent Assembly did not have powers to alter any part or section of the Draft Constitution, save only for minor adjustments.



*Leaders of four political parties in UKAWA coalition signing a loose agreement*

Frustrated and unable to prevent the creation of a Tanzania Kwanza constitutional draft, on 17th April, the UKAWA camp members walked out of the Constituent Assembly and effectively began a boycott of the constitutional review process. In a last ditch effort to save a consensus for a future national constitution, the Tanzania Centre for Democracy hosted talks between the President and opposition party leaders. In return for re-engaging in the constitutional review process, UKAWA leaders asked for reforms and changing of electoral laws to make the upcoming 2015 election credible, free and fair.



*Leaders of UKAWA coalition addressing a press conference*

The envisaged reforms included: (i) formation an independent electoral commission; (ii) participation of independent candidates in the elections; (iii) 50% plus one minimum provision for declaring the winner of the presidential elections instead of a simple majority; and (iv) option of challenging presidential electoral results in a court of law. It was further agreed that the constitutional review process would be suspended until after the elections and thereafter UKAWA would re-engage with the constitution making process. However, this ‘gentleman’s agreement’ was never honoured.



*The Constituent Assembly in session*

Against this backdrop, the constitutional review process soldiered on but in the absence of a critical opposition party voice. Finally, the Proposed Constitution was adopted by the Constituent Assembly on 2nd October, 2014. According to an earlier agreed schedule, the Proposed Constitution was supposed to be subjected to a referendum for final endorsement of the people of Tanzania. The constitutional referendum has remained in abeyance ever since. UKAWA coalition eventually used the newly found political platform as a launching pad to stimulate unity for purposes of enhancing its competitiveness in a bid to unseat CCM in the 2015 election.

## **2.6 Intraparty Conflicts and Realignment**

As the country geared towards the 2015 election, several developments unfolded within the major political parties, CCM, CHADEMA, CUF and NCCR-Mageuzi. Some of these developments had implications to the election. These developments took two main shapes: (i) internal leadership competitions and struggles, and (ii) strategising for the 2015 election at policy and programmatic levels.

With no incumbent president to lead CCM into the October 2015 election, and a number of strong candidates, intense leadership struggles were expected within the ruling party. For their part, opposition parties were also not short of political intrigues and leadership struggles. At the very least the internal party rivalries helped to sell newspapers and kept the social media buzzing, leading to heightened public interest in politics in the run-up to the 2015 election. Factional struggles may also point to intolerance and lack of democracy within political parties. However, most importantly for the 2015 election, they also led to the realignment of political forces within and between the ruling and opposition parties.

Two political intrigues that occurred within the opposition parties were due to leadership struggles in CUF and CHADEMA. In CUF, Hamid Rashid, an MP from Wawi, wanted to challenge Seif Sharif Hamad's leadership in the party. He was 'expelled' from CUF in January 2012. According to the electoral law in Tanzania expulsion from a political party means automatic disqualification as a Member of Parliament. Fully aware of this, Hamad Rashid quickly filed a court injunction against the party's decision pending court's decision on the matter. The injunction was granted and thus he maintained his seat in the house. It was not until July 2015 that Rashid quit CUF and joined a newly registered political party - Alliance for Democratic Change (ADC) and later on contested the Zanzibar presidency.

A somewhat similar scenario was witnessed in the fallout between CHADEMA's National Party Chair Freeman Mbowe and rising star Zitto Kabwe. The turmoil in CHADEMA seemed to stem from Kabwe's desire, made apparent in 2009, to contest the chairmanship of the party.



*CHADEMA Chairman, Freeman Mbowe and Hon. Zitto Kabwe*

Tension between Kabwe's faction and that of Mbowe came to a head in 2013, when a 'secret' CHADEMA report claimed that Zitto Kabwe had been paid a quarter million dollars by CCM to undermine CHADEMA. The party tried to expel Kabwe, which was only successfully accomplished in March 2015 after CHADEMA won a high court case allowing it to force Kabwe out of the party.



*Former CHADEMA Secretary General, Dr. Wilbrod Slaa, counsels his Chairman Freeman Mbowe and Mr. Zitto Kabwe before falling apart*

Kabwe also had to briefly give up his seat in Parliament due to the legal requirement that elected officials must belong to a political party. Upon leaving CHADEMA, Kabwe joined the Alliance for Change and Transparency (ACT-Wazalendo), a newly formed political party. Zitto Kabwe was elected Leader of ACT-Wazalendo, ostensibly in-charge of the party, although Anna Mghwira was the party's Chairperson.



*ACT-Wazalendo leaders, Anna Mghwira (Chairperson) and Zitto Kabwe (the Leader)*

In the ten years since Jakaya Kikwete became CCM's presidential nominee in 2005, factions within CCM were positioning themselves to gain the party's nomination in 2015. A total of 42 aspiring presidential candidates paid the required one million Tanzanian shillings in order to pick up CCM's presidential nomination forms. Among these aspirants were 14 former ministers. Thirty-eight returned their forms, signaling that they were officially vying for the presidential post. The leading candidate was Edward Lowassa, a former Prime Minister who had strong financial backing from former CCM MP and party treasurer, Rostam Aziz. Lowassa was strongly associated with what was called the "mafisadi" (corrupt) faction in CCM and was pressured into resigning in February 2008 due to the Richmond scandal involving a dubious electricity supply contract with TANESCO. Other CCM hopefuls included Harrison Mwakymbe and Samuel Sitta of the "safu" (clean/not corrupt) faction, up and coming Deputy Minister January Makamba, Mark Mwandosya a prominent former cabinet minister from Southern Tanzania, Kikwete's Minister for Foreign Affairs Bernard Membe, former Prime Minister Fredrick Sumaye, incumbent Prime Minister Mizengo Pinda and incumbent Vice President Mohamed Gharib Billal.



*CCM's five aspirants for the presidential seat for the decision of the party congress*

To the dismay of his supporters, Lowassa's name was excluded by CCM's Ethics Committee and was not on the list of five names submitted by the Central Committee in July 2015 to the National Executive Committee. Of the five names that were submitted, the National Executive Committee removed the names of January Makamba and Bernard Membe from consideration, leaving CCM's National Congress to choose its party's presidential nominee from Amina Salum Ali, Asha Rose Migiro, and John Pombe Magufuli.



*CCM's three aspirants for the presidential seat for the decision of the party congress*

Magufuli's selection as CCM's presidential nominee together with his reputation as a relatively clean no-nonsense leader who can get things done, created the opportunity for CCM to run a credible campaign against its own record in terms of corruption, poor public services, and the lack of tangible results that had been increasingly associated with CCM's rule during Kikwete's second term.

However, it also left many of the other presidential aspirants feeling aggrieved and complaining that top party leaders, and not democratic procedures, had manipulated the process to determine the party's presidential nominee. In particular, Edward Lowassa quickly joined the opposition party, CHADEMA, in August 2015 so that he could secure the party backing he needed to legally compete for presidency. It raised eyebrows that four political parties joining forces to form a coalition to unseat CCM from power had to wait for CCM 'rejects' from whom to pick their presidential nominee. CHADEMA in particular, had published and inaugurated a 'list of shame', naming bigwigs from CCC, including Lowassa, as being responsible for the spiralling corruption tearing away the country. CHADEMA used ufisadi as a rallying strategy to mobilise countrywide political support in its several operations, notably "Operation Sangara" and "Movement for Change (M4C)".



*CHADEMA's Secretary General, Wilbroad Slaa and CUF's Chairman, Prof. Ibrahim Lipumba*

Lowassa's defection caused a reshuffling within the opposition party ranks. Both CHADEMA's General Secretary Wilbroad Slaa and CUF's Chairman Ibrahim Lipumba resigned their party leadership posts rather than support Lowassa's presidential aspirations. Given the central role that the opposition parties, in particular CHADEMA and CUF, had played in pressuring Lowassa to be removed as Prime Minister in 2007 and 2008 over the Richmond scandal, it was indeed ironic that they so quickly embraced Lowassa to be UKAWA's presidential nominee.



*Former Prime Ministers, Lowassa and Sumaye before they defected from CCM to CHADEMA*

Joining Lowassa in his move to the opposition were CCM notables Frederick Tluway Sumaye (former Prime Minister), Kingunge Ngombale Mwiru, Juma Mwapachu, one deputy minister, and three regional party chairs.



*The adage that “there is no permanent enemy in politics” was proven right, after a negotiated defection of Lowassa from CCM to CHADEMA*

The end result of the hectic party nomination processes and realignments was that CCM had a candidate for ‘change’ that could credibly run against the ruling party’s record during Kikwete’s second term. The UKAWA political opposition ended up with Edward Lowassa, who was CCM’s leading candidate going into their internal presidential nomination process, and a politician more closely associated with the problems of Kikwete’s second term than Magufuli, undermining the opposition parties’ calls for change. However, he did help to mobilise considerable resources for CHADEMA. Long-standing opposition leaders like CHADEMA’s Secretary General Wilbroad Slaa and CUF’s Chairman Ibrahim Lipumba

transitioned away from partisan politics while CHADEMA’s Zitto Kabwe was expelled from the party and not allowed to bring his new opposition party, ACT-Wazalendo, into the UKAWA coalition. Starting almost from scratch, ACT-Wazalendo had to run its own presidential campaign in support of their candidate Anna Elisha Mghwira. With the political re-alignments, for the first time, it seemed as if the opposition had the resources to compete with CCM.

## 2.7 Dominance of the Ruling Party Going into the 2015 Election

Prior to the 2015 election, CCM enjoyed considerable advantage in terms of resources. This is in part due to its being the only ruling party Tanzania has known since independence that has allowed it to create a dense network of party branches and offices down to the ten house level. CCM also inherited a considerable estate accumulated during the 30 years of the single party era where the state-party fusion was so complete that CCM was the state and the state was CCM. This dominance was still evident in the 2010 election as indicated by CCM’s performance in the parliamentary elections, shown in Table 2.3.

*Table 2.3: Distribution of Parliamentary and Councillorship Seats in 2010 Elections*

S/No.	Political party	Seats	Women special seats	Total	Councillors
1.	CCM	186	67	253	2,803
2.	CHADEMA	24	25	49	326
3.	CUF	23	10	33	126
4.	NCCR-Mageuzi	4	0	4	28
5.	UDP	1	0	1	28
6.	TLP	1	0	1	20
7.	Others	0	0	0	4
<b>Total</b>		239	102	341	3,335

Source: TEMCO, 2011

As shown in Table 2.3, on the criterion of the number of seats the political parties had in the National Assembly and local government councils, the ruling party was stronger than other political parties put together.

## 2.8 Conclusion

As political parties started their campaigns for the 2015 election, Tanzania was braced for spirited electoral competition with political party supporters, both ruling and opposition, optimistic about their chances for victory. Several factors shaped the nature and conduct of the 2015 elections, namely (i) the GNU and electoral politics in Zanzibar; (ii) Performance of the fourth phase government; (iii) By-elections; (iv) the constitutional review process; (v) intraparty conflicts and realignments; and (vi) continued dominance of the ruling party, CCM. The totality of these factors and the ensuing politics are important in understanding the 2015 Tanzania elections.

## CHAPTER 3 LEGAL AND INSTITUTIONAL FRAMEWORKS FOR THE 2015 ELECTION

### 3.1 Introduction

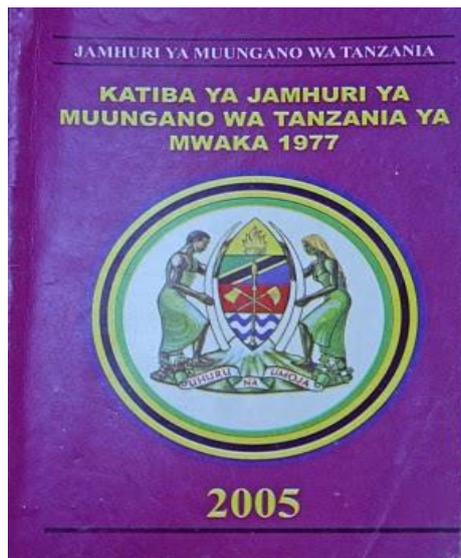
This chapter assesses the legal and institutional frameworks for the 2015 general elections with a view to establishing whether they permitted holding of credible, free and fair elections. The chapter is divided into seven sections including this introduction. Section two delves into legal framework for elections. Section three addresses institutional arrangements. Section four focuses on questions over independence of NEC while the relationship between NEC and ZEC are the subject of section five. Section six highlights the “vote guarding” and 200 metres case. Section seven concludes the chapter and contains recommendations.

### 3.2 Legal Frameworks for the 2015 Election

The legal framework governing general elections in the United Republic of Tanzania draws its mandate from the Constitution of the United Republic of Tanzania (1977) as well as relevant specific pieces of legislation. The pieces of legislation include: (i) National Elections Act (CAP 343) of 1985; (ii) Local Authorities Elections Act (CAP 292) of 1979 and related regulations; (iii) Election Expenses Act, No. 6 of 2010, (iv) Political Parties Act CAP 258 of 1992, (v) Zanzibar Constitution (1984); and (vi) Zanzibar’s Elections Act No. 11 of 1984.

#### *3.2.1 Constitution of the United Republic of Tanzania*

The Constitution of the United Republic of Tanzania to a large extent is in conformity with the basic provisions of international and regional conventions, including the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights of 1966, the International Covenant on Economic, Social and Cultural Rights of 1966, and the African Charter on Human and People’s Rights of 1981.



*Constitution of the United Republic of Tanzania, 1977*

The Constitution guarantees basic civil and political rights, including the right to participate in elections as well as rights to personal freedom, freedom of expression, freedom of association, and freedom to participate in public affairs. These are stated under various provisions i.e. Articles 15, 18, 20, 21, 39 and 67. The Constitution also provides for affirmative action through special seats for women in Parliament and councillorship elections are stated under Article 78 of the Constitution and the Local Government Authority (Elections) Act, Cap. 292. In addition, the Constitution sets a two five-year term limit for a serving president. Also the Constitution provides for universal suffrage, subject to other laws of the land.

Despite the strengths inherent in the Constitution, there are also limitations which may constrain the attainment of a credible, free and fair election. The major limitations include: (i) proscription of independent candidature; (ii) disenfranchisement of the Diaspora and inmates serving less than six months sentences; (iii) limited transparency in the appointment of NEC Chairman, Commissioners and its CEO; and (iv) forbidding petition against presidential election results in the court of law.

Taking into account the pluses and minuses in the constitutional provisions governing elections in Tanzania, it is evident that the Constitution of the Republic of Tanzania does not significantly undermine credibility, freeness and fairness of the electoral processes.

### ***3.2.2 National Elections Act***

The National Elections Act, (CAP 343), 1985 is a specific piece of legislation that provides for the execution of all components of the electoral cycle for both the presidential and parliamentary Union elections. The legislation thus regulates demarcation of electoral boundaries, nomination of candidates, campaigns, voting, vote counting and declaration of results. Moreover, the law defines the manner in which the election management body (i.e. the National Electoral Commission), should be constituted and its mandates. It provides for mechanisms for handling electoral disputes and grievances. In letter and spirit, the law is neither obnoxious nor draconian. Although the law does not allow inquiry of presidential election results in a court of law, it generally does not disenfranchise an eligible voter and provides for legal redress for an aggrieved voter or candidate to file a petition against parliamentary election results.

### ***3.2.3 Local Authorities (Elections) Act***

Elections of councillors for the local authorities in Tanzania are governed by the Local Authorities (Elections) Act, (CAP. 292) of 1979. The custodian of this law is the Prime Minister's Office - Regional Administration and Local Government (PMO-RALG), a central government institution, mandated to administer local government elections in Mainland Tanzania. This Act specifically informs the election of councillors, making it necessary for NEC to use it in its management of general elections.

Like the National Elections Act, this legislation also regulates demarcation of electoral boundaries at local authority level, nomination of candidates, campaigns, voting, vote counting

and declaration of results. Moreover, the law defines the manner in which the electoral authority should be constituted and its mandates. It provides for mechanisms for handling electoral petitions in a court of law. Broadly, the legislation meets the essential requirements of a just law.

### ***3.2.4 Election Expenses Act***

The Election Expenses Act, No. 6 of 2010 makes provision for the funding of the electoral processes, including nomination, election campaigns, and Election Day activities. It provides caps for voluntary donations including foreign funding to election expenses and acceptance of external assistance as well as disclosure of funds for election campaigns. It also prescribes offenses and penalties related to prohibited practices (e.g. preventing a candidate, party or team member from inducing voters by money and valuable items, ferrying voters, and unconscionable funding of elections).

The Registrar of Political Parties is the custodian of the Election Expenses Act (EEA). The Registrar is empowered to investigate any documentation, papers and books of a political party to establish adherence or violation. The EEA applies only for Union elections and not Zanzibar elections.

### ***3.2.5 Political Parties Act***

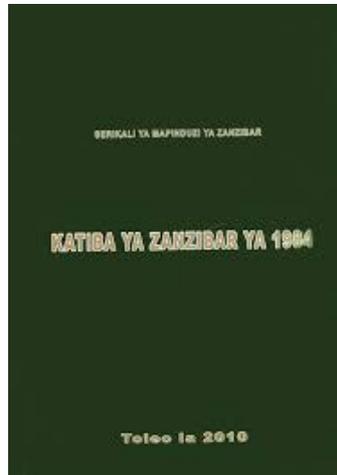
The Political Parties Act, Cap 258 of 1992 provides for the terms and conditions and procedures for registration of political parties and for related matters. The Act defines the meaning and role of a political party in the Tanzanian context, including competing in election in order to form government and putting up or supporting candidates in elections. The office of the Registrar of Political Parties oversees the conduct of all political parties in the country and, overall, nurturing multiparty politics and democracy in Tanzania.

### ***3.2.6 Constitution of Zanzibar***

Elections in Zanzibar are conducted under the Constitution of Zanzibar of 1984 and the Zanzibar Elections Act of 1984. The Constitution guarantees universal suffrage, subject to other relevant pieces of legislation governing elections in Zanzibar. Article 7(1) provides for the right to vote. It reads, “Any Zanzibari who has attained the age of 18 shall have the right to vote in an election taking place in Zanzibar and this right shall be exercised in accordance with other relevant laws which make provision which might bar a Zanzibari from exercising a right to vote”. The Constitution vests powers to the House of Representatives to enact a law relating to participating in election including the President of Zanzibar, Members of the House of Representatives, or councillors for local government. The processes for voter registration and demarcation of electoral boundaries are also stipulated in the Constitution.

The Constitution provides for the establishment of Zanzibar Electoral Commission and guarantees its autonomy in that no court has jurisdiction to enquire into anything done by ZEC performance of its functions consonant with the Constitution. In addition, the Constitution requires the leader of government business and the opposition leader in the House of

Representative to nominate two members to be appointed by the President to be members of ZEC. Moreover, in carrying out its mandate, it is constitutionally required to consult with NEC of the United Republic of Tanzania. At face value, the Zanzibar constitution broadly complies with the universal practices for credible, free and fair elections.



*Zanzibar Constitution, 1984*

### ***3.2.7 Zanzibar Elections Act***

Elections in Zanzibar are conducted in accordance with the provisions of the Zanzibar Elections Act, No. 11 of 1984. The legislation outlines procedures, supervision and regulation, management as well as the establishment of the Zanzibar Election Commission, its composition and mandate. The law provides for the qualification and disqualification for being registered as a voter, appeal procedures and requirements for election of presidents and members of the House of Representatives. Moreover, the legislation stipulates the “dos” and “don’ts” in election campaigns voting and counting procedures. It also specifies offenses related to electoral processes as well as petitions triable by the high court. Unlike the Union electoral legislation, the Zanzibar Elections Act makes provisions for local government elections.

Much as the law, in its entirety, does not obstruct the rights of citizens to participate in elections; however, the provisions of the Registration of Zanzibaris Residence Act No. 7 of 2005 deprives some Zanzibaris their right to participate in elections. Section 12 (3) (ia) specifically states that “a person shall be deemed to be an ordinary resident in a particular constituency if he/she has a permanent residence and has been living in that constituency consecutively for a period of 36 months, from coming into force of this Act up to the Election Day”. This requirement, to some extent, disqualifies some people to exercise their civil and political rights freely.

### ***3.2.8 Implications of the Legal Framework on 2015 Election***

Broadly, the legislation that governed the 2015 general elections complied with the necessary international standards for a credible, free and fair election. The analysis of the laws does not show that they are vague, or lack sufficient guarantees for the respect of civil and political rights. The laws regulating elections were equally enforced and they were not arbitrarily

applied. Generally, despite some gaps as already pointed out, the legal framework was consistent with international human rights and internally recognised rights. Moreover, there is no evidence of inconsistencies between different pieces of election-related legislation. TEMCO observers did not reveal incidents whereby the implementation of the legislation relied heavily on a partisan, unfair and opaque manner which could undermine the integrity of the electoral processes. In addition, the subsidiary regulations were not contrary to the intent of the laws. No wonder, major election stakeholder, candidate or political party neither came out to challenge the electoral laws in a court of law nor boycotted the elections on the basis of bad electoral legislation.

Despite this observation, TEMCO analysis of the electoral legislation shows that some provisions of the laws did not enjoy the confidence of the major 2015 election stakeholders. The concerns revolved around several interrelated issues emanating from the Constitution and relevant legislations. Regarding the constitution, as it has been in previous elections, there were no amendments to allow political parties to form coalitions and alliances for the purpose of enhancing their competitive edge in 2015 presidential, parliamentary and councillorship elections. Second, Tanzanians went into the general elections without a law which allows independent candidature at all levels. Third, there were no constitutional reforms to provide for the Diaspora to participate in the 2015 election either as voters or candidates. Fourth, issues related to the independence of NEC had not been addressed. Fifth, the right of persons to file a petition in a court of law to challenge the election of president had not been granted.

In addition to constitutional limitations noted in the preceding section, there were also electoral related legislation, which in the eyes of electoral stakeholders, including TEMCO observers, to some extent undermined the credibility, freeness and fairness of the 2015 election. First, although the law sets the limit of the amount of money that political parties and candidates were allowed to spend in elections, compelling anecdotal evidence revealed expenditure in excess of set limits. The mechanisms for enforcing compliance were very weak. Second, the electoral legislation did not provide a timeframe in which a party member could defect to a new party and stand as its candidate in presidential, parliamentary and councillorship elections. Third, the law is silent regarding the establishment of political party owned defence and security groups and the manner they would be regulated. Fourth, the law allows elections in Tanzania to be held under different legislations and election management bodies. While presidential and parliamentary elections are held under the National Elections Act of 1985, the councillors' elections (organised concurrently with the presidential and parliamentary elections) are held under the Local Authorities (Elections) Act of 1979 of which NEC is not the custodian. Last but not least, although the law does not disenfranchise inmates remanded or serving sentences of less than six months, there were no implementation arrangements to allow them to exercise their right to vote in 2015 election.

### **3.3 Institutional Arrangements**

There are two election management bodies for the Union and Zanzibar elections, namely the National Electoral Commission (NEC) and Zanzibar Electoral Commission (ZEC). In order to

carry out their mandate effectively and efficiently, the two bodies require some management structures and tools, including an organisational structure, strategic plans, fiscal and human resources and international and external communication strategy.

### 3.3.1 National Electoral Commission

The management of the electoral cycle for Union elections is vested into NEC which has seven commissioners appointed in accordance with the provisions of the law, and Director of Elections who is the Chief Executive Officer. The Commission has support staff (technical and administrative) largely drawn from the mainstream public service. They are not directly employed by the Commission. The Commission has a number of departments and units to carry out different functions as shown in the Organogram in Figure 3.1.

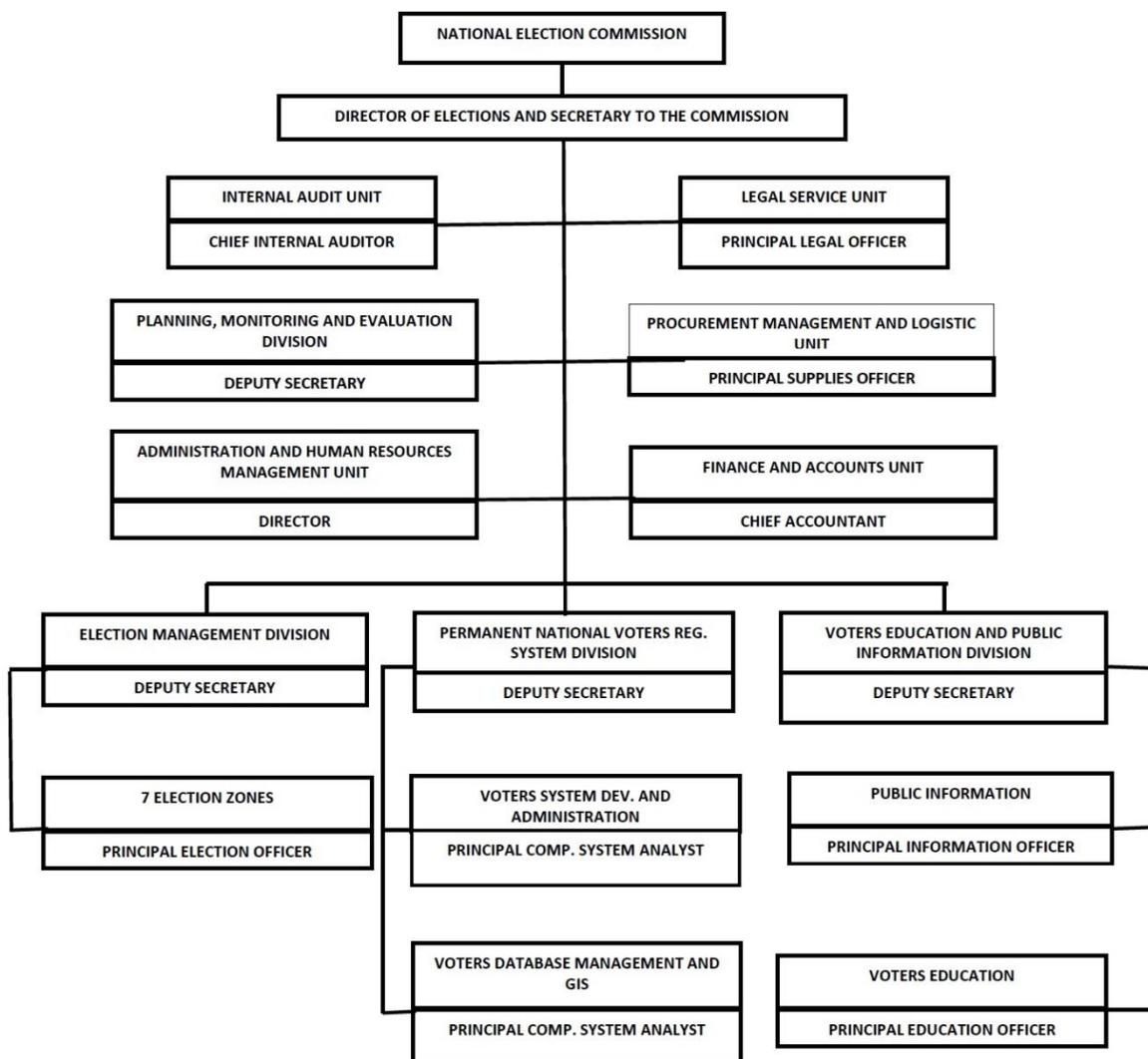


Figure 3.1: NEC Organogram  
Source: NEC, 2015

As seen from Figure 3.1, NEC has an elaborate organisational structure which shows the distribution of essential functions of the Commission. At face value, the organogram has all

important structures that are likely to facilitate the smooth running of the Commission in executing its mandates. It includes divisions and units that are critical in election management bodies: M&E division as well as units for voter education and voters' database management and GIS. The structure indicates seven election zones which are not specified and their existence may be ad hoc, functioning only during the elections season. ICT and communication support functions do not feature predominantly in the structure. The structure does not show the relationship between the Commission and the government, despite the fact the commission's budget is tabled in parliament by the Prime Minister. This has been a perennial issue in terms of independence of the Commission. It is generally accepted that communication is the lifeblood of any organisation. Unfortunately, the public relations unit, which could be pivotal in facilitating internal and external communication, is not included in the organogram. Moreover the capacity development unit which is critical for transforming the Commission into a learning organisation is not indicated in the organisational structure.

During the 2015 election NEC established seven ad hoc committees, each chaired by a commissioner. These committees were inclusive, consisting of members from different electoral stakeholders. The committees were: (i) Election Authorities Coordination Committee; (ii) Voter Education and Non-Governmental Organisation Coordination Committee; (iii) Information and Communication Committee; (iv) Government and Political Parties Relations Committee; (v) Election Observers and International Organisations Committee; (vi) Procurement, Logistics Committee; and (vii) General Elections Coordination Committee. TEMCO observers did not assess the effectiveness of the committees in terms of performance but their establishment helped to open up the Commission to the electoral stakeholders. The committees made the Commissioners accessible, interactive, and adaptive. They were able to work on the advice of the stakeholders in order to improve their performance. Broadly, the organisational structure of the Commission satisfies the basic requirements of a formal organisation.

### ***3.3.2 Financial and Procurement Management Issues***

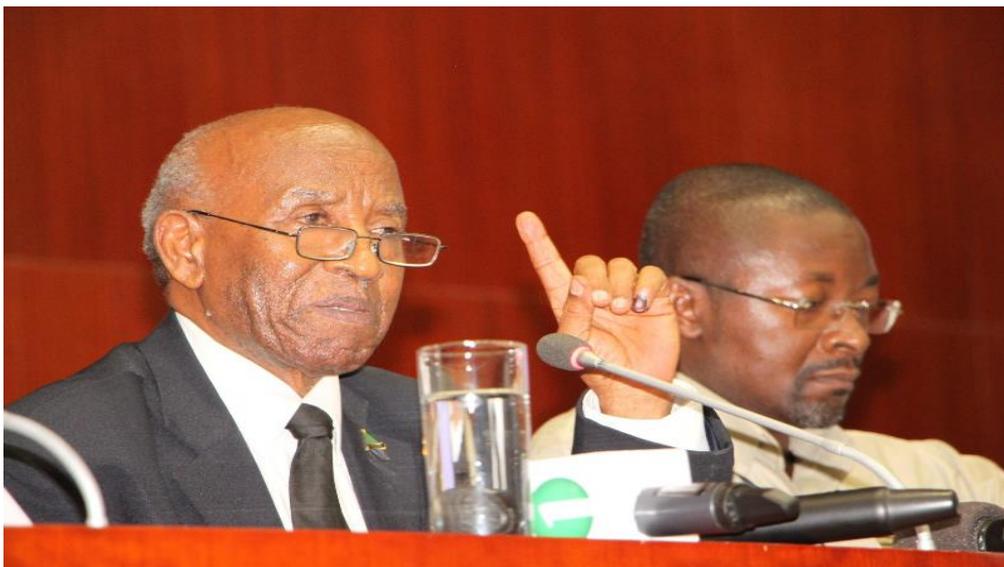
NEC obtained its financial resources for the 2015 election from the central government budget. Unfortunately, at the time of completing this report NEC had neither disclosed its estimates for running the 2015 election, nor the actual amount of money made available by government for running the elections. As such, TEMCO is not in a position to report with confidence issues related to the budget and expenditure for the 2015 election. However, TEMCO is aware that the disbursement of money from government to procure the BVR kits was somewhat erratic, leading to delays in delivering the kits.

Anecdotal and authoritative evidence show that the performance levels of two core units - procurement management and logistics and finance and accounting - were not impressive. In the 2014-2015 report, CAG identified several areas in which NEC did not comply with the procurement and accounting procedures. The report shows that there were: (i) various materials for registration of voters worth TShs. 827,046,942 were procured in excess and the same had not been used despite the lapse of the intended purpose; (ii) missing payment vouchers; (iii)

missing fixed assets register; (iv) unaccounted purchases of stores; (v) unsupported issues of store; (vi) maintenance and repair of vehicles to private garages without TEMESA's pre and post-inspection; and (vi) procurements made without contract. Moreover, the recent report by the Public Procurement Regulatory Authority (PPRA) points to non-adherence to procurement procedures governing public institutions, including the tendering process for the acquisition of BVR kits (Mwananchi Newspaper, 15/05/2016).

### ***3.3.3 Information and Communication Issues***

Information and communication sharing internally and externally are critical ingredients for smooth functioning of the election management body. This can only occur if there is a well-articulated ICT strategy which is part of management tools, including a strategic plan. Unlike ZEC, which had a comprehensive strategic plan, NEC had none. During the BVR process, between April-July, 2015 information sharing between NEC and other internal and external stakeholders was somewhat difficult. NEC had a well-designed website which was, nonetheless, not communicating, in the sense that important information was not uploaded onto it and it was not regularly updated. Moreover, the Commission had not devised useful media platforms for effective communication.



*Hon. Justice (Rtd) Damian Lubuva, NEC Chairman and Mr. Ramadhan Kailima, NEC Director of Elections*

However, the Commission opened up to the public after the completion of the BVR process and management changes that were undertaken which in a way strengthened high level management and the communication unit of the Commission. The Commission became more accessible to the stakeholders through regular press briefs and other interactive fora. The communication tools for the Commission were significantly improved in different ways: (i) the website was given a facelift; (ii) relevant information was uploaded in a timely manner; and (iii) a running Facebook page was opened and uploaded with useful data. Consequently, the improvement of the communication function enabled the electoral stakeholders, including TEMCO, to access NEC, including its leadership and management.

### ***3.3.4 Capacity Enhancement for Electoral Staff***

TEMCO election observation mission noted that NEC recruited and trained staff specifically for the management of the 2015 election. The Commission took steps to enhance the capacity of its staff at national, regional, and constituency levels. The capacity building and enhancement programmes were implemented in two phases. Phase I included training of staff for the BVR process as discussed in chapter four. Phase II focused on building the capacity of staff selected for the administration of the rest of the electoral processes as pointed out in chapters eight and nine. TEMCO observers' findings reveal that at regional level 30 Regional Election Coordinators (RECs), and 972 Returning Officers and Assistant Returning Officers (ROs and AROs) were trained at constituency level and 7914 at ward level.

### ***3.3.5 Accreditation of Election Observers and Voter Education Providers***

NEC is empowered to accredit voter education providers and domestic and international election observers. TEMCO observers' findings show that a total of 75 groups of domestic election observers and 12 international election observer groups were accredited. It was noted that NEC set a centre at the Julius Nyerere International Convention Centre for accreditation purposes which decongested NEC's headquarters and facilitated the smooth conduct of the process. Despite this innovation, the capacity of NEC to accredit all observers at one centre was low. By any means, taking into account its capacity, NEC could not register more than 10,000 STOs at one centre. In addition, NEC issued a Code of Conduct for Observers which was prepared through a consultative approach which involved various stakeholders.

NEC distributed, to observers, important pieces of electoral legislation and regulations as well as the codes of conduct for observers, political parties and candidates, apparel and bags. Many Returning Officers cooperated very well with TEMCO election observers and some of them went the extra mile to issue accreditation letters and IDs for STOs without waiting for orders from the headquarters.

Despite the good work that was done in accrediting observers, there were isolated cases of inefficiency and ineffectiveness at the central and constituent levels. At the central level, NEC's plan to have all STOs registered and accredited centrally did not work out, due to inadequate capacity at the centre. At the constituency level, some Returning Officers imposed their own conditionality to the accreditation of STOs. For instance, in Kibondo, the Returning Officer who is also DED did not want TEMCO to appoint teachers to serve as STOs, despite the fact that their trade union organisation, TTU/CWT, is a TEMCO member organisation. Another example is Igalula Constituency in which the Returning Officer directed that all 51 STOs take oath administered by the Resident Magistrate before being accredited to observe elections. In Lindi, Kalambo and Karagwe constituencies Returning Officers imposed their own number of STOs that could be deployed. In Mbulu the Returning Officer claimed that the names presented to her were those of CHADEMA/UKAWA zealots.

In this light, it seems plausible to conclude that some Returning Officers did not understand their responsibility regarding the accreditation of STOs.

Regarding voter education, TEMCO noted that a total of 451 CSOs applied for accreditation during the BVR process and 447 were accredited. NEC granted accreditation to all domestic and international election observation groups which fulfilled the requirements as specified by the Commission. TEMCO observers did not come across a group of observers which was either denied accreditation or had its accreditation revoked.

### ***3.3.6 Zanzibar Electoral Commission***

The management of the electoral cycle for Zanzibar elections is vested into ZEC which was delivered in 1997 and so far has delivered four general elections, numerous by-elections and a referendum. It has seven commissioners appointed in accordance with the provisions of the law and Director of Elections who is the Chief Executive Officer. Unlike NEC, ZEC has its own technical and administrative staff.



*ZEC Chairman receives nomination forms from CUF's Presidential nominee for Zanzibar presidency*

The Commission has five divisions including the Pemba sub-office to carry out different functions as shown in the Organogram in Figure 3.2.

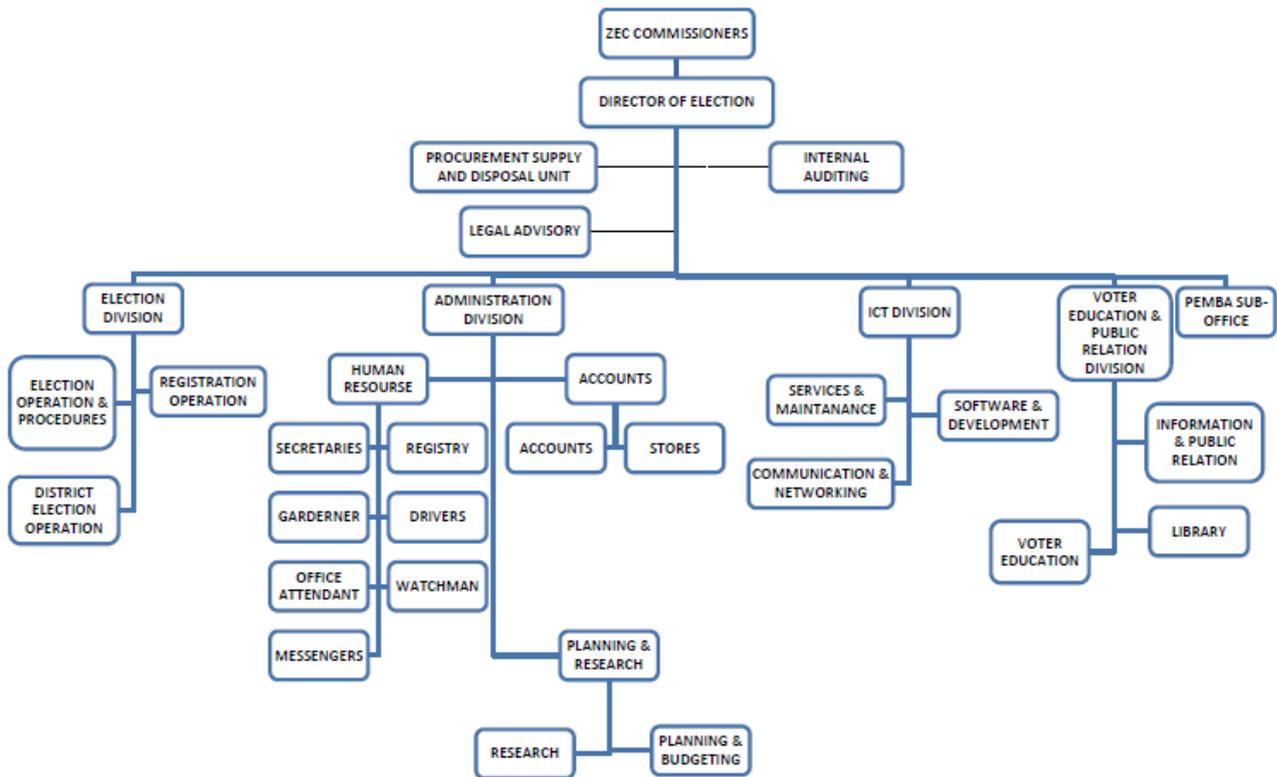


Figure 3.2: ZEC's Organisational Structure  
Source: ZEC, 2015-2019 Strategic Plan

As seen from the organogram, ZEC has a comprehensive structure, required for smooth running of elections. Moreover, ZEC has a strategic plan 2015-2019 which defines its strategic pillars, including engagement with key stakeholders, legal frameworks, autonomy enhancement, electoral dispute resolution, voter education, boundary delimitation and organisational and professional development. ZEC has strategic vision, mission and guiding principles. Of significant interest is that ZEC is conducting its business in accordance with its strategic plan which has a steering committee consisting of ZEC Chairperson, Director of Elections, Legal Advisor and heads of division.

### 3.4 Questions over Independence of NEC and ZEC

An election management body is independent if it meets the following criteria: (i) should derive its existence from the fundamental law of the land; (ii) its members should be appointed through a competitive, transparent and open system; (iii) the commission should have authority to appoint and discipline its own staff; and (iv) should have full authority for the money allocated to it by parliament.

A critical analysis shows that the two management bodies derive their existence from the constitution and they have full authority for the money allocated to them by parliament. However, they do not have full authority of their technical and administrative staff and the commissioners are not appointment through transparent and competitive approaches. Consequently, there are concerns among electoral stakeholders that the EMBs do not meet the

criteria of an independent electoral management body in accordance with international standards.



*ZEC Chairman Hon. Jecha Salim Jecha, Commissioners and Director of elections*

### **3.5 Relationship between NEC and ZEC**

Both the Constitution of the United Republic and the Zanzibar Constitution require the two management bodies to consult each other on matters related to the administration of elections in Tanzania such as demarcation of constituencies, voter registration and Election Day. Regarding the 2015 election there were concerns among the election stakeholders that even if the consultations were held, there were perceptions of disagreement between NEC and ZEC in relation to the number of electoral constituencies in Zanzibar.



*NEC Chairman, Hon Lubuva and ZEC Chairman, Hon. Jecha franked by Director of elections Kailima and Registrar of political parties, Hon. Mutungi*

For the first time, the number of constituencies for Zanzibar elections and Union elections in Zanzibar differed. While ZEC reviewed electoral boundaries resulting into four new

constituencies, making a total of 36 constituencies in Unguja for Zanzibar elections, NEC maintained the previous 50 constituencies in Zanzibar for the Union elections. TEMCO observers' report did not reveal other significant incidents which suggested poor working relationship between NEC and ZEC. The working relationship between the two entities was largely cordial and mutual, in accordance with constitutional requirements.

### 3.6 Delimitation of Electoral Boundaries

Boundary delimitation is a process for determining the boundaries of electoral constituencies and wards. It is a very important means of ensuring effective representation. It is one of the critical areas that if not carried out properly could culminate into electoral disputes. As such, the participation of electoral stakeholders in the boundary delimitation process and decision is required in order to ensure credible, free and fair election. In the 2015 election, new constituencies and wards were established. TEMCO election observers were required to ascertain the extent to which the demarcation of the new electoral boundaries adhered to the criteria specified in the electoral law. The findings of TEMCO observers are presented in Table 3.1.

*Table 3.1: Criteria for demarcation of electoral boundaries*

Criteria	Yes		No		Not applicable		No response		Total	
	F	%	F	%	F	%	F	%	F	%
<b>Population quota</b>	38	25.3	11	7.3	98	65.3	3	2.0	150	100.0
<b>Increase of new districts</b>	10	6.7	31	20.7	98	65.3	11	7.3	150	100.0
<b>Increase of new councils</b>	16	10.7	21	14.0	98	65.3	15	10.0	150	100.0
<b>Geographical conditions</b>	34	22.7	9	6.0	98	65.3	9	6.0	150	100.0
<b>Economic status of constituency</b>	17	11.3	22	14.7	98	65.3	13	8.7	150	100.0
<b>Administrative boundaries</b>	25	16.7	12	8.0	98	65.3	15	10.0	150	100.0
<b>Pattern of human settlement</b>	18	12.0	20	13.3	98	65.3	14	9.3	150	100.0
<b>Capacity of parliament building</b>	4	2.7	31	20.7	98	65.3	17	11.3	150	100.0
<b>Special seats for women</b>	2	1.3	29	19.3	98	65.3	21	14.0	150	100.0
<b>Other considerations</b>	1	0.7	26	17.3	98	65.3	25	16.7	150	100.0

Source: TEMCO observers' Field Reports, 2015

As data in Table 3.1 shows, to a certain extent, definite criteria were used in the demarcation of electoral boundaries. Generally, there were no disputes arising from perceptions of gerrymandering. Moreover, the TEMCO findings reveal that a good number of voters (18%) in areas where there had been a review of boundaries were given an opportunity to submit their views to appropriate authorities in respect of the electoral boundary demarcation process as shown in Table 3.2.

Table 3.2: Submission of Views on Demarcation of Electoral Boundaries

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	27	18.0
<b>No</b>	12	8.0
<b>Not Applicable</b>	98	65.3
<b>No response</b>	13	8.7
<b>Total</b>	150	100.0

Source: TEMCO observers' Field Reports, 2015

As data in Table 3.2 shows, there were incidents in which the voters were denied the opportunity to submit views on the demarcation of electoral boundaries. TEMCO observers did not reveal any incident whereby a political party or candidate disputed the demarcation of electoral boundaries in a court of law. Generally, it seems plausible to conclude that the boundary demarcation process was carried out within the ambit of the law and to the satisfaction of many electoral stakeholders.

### **3.7 Vote Guarding and the “200 Meters” Case**

One of the issues that attracted a lot of public interest was the directive of CHADEMA to its members and followers to guard their votes on the Election Day. Vote guarding was fuelled by the CHADEMA presidential candidate, Edward Lowassa, who claimed that CCM had a habit of stealing votes. Lowassa told his supporters in several occasions that they should vote massively such that even if CCM stole some of CHADEMA'S votes the latter could still emerge victorious. NEC made it clear that such gatherings for purposes of guarding the votes would not be allowed because political parties had their agents in polling stations whose role included the protection of the interests of the party. Following this standoff, CHADEMA filed a case to the High Court challenging the announcement by the NEC Chairman. They requested the court to provide proper interpretation of Section 104(1) of the Election Act, which states:

No person shall hold a meeting on the Election Day or within any building where voting in an election is in progress, or at any place within the radius of two hundred metres of such building, wear or display any card photograph, favour, or other emblem indicating support for a particular candidate in the election.

The ruling was delivered on Friday, 23rd October, 2015, two days before the election, and upheld NEC's position by maintaining that the law prohibits campaigns on the Election Day regardless of the distance from the polling station. The court thus prohibited gatherings close to polling stations and instead required voters to cast their votes and go away. The situation on the Election Day indicated that people largely complied with this court ruling, although police officers remained vigilant against any signs of gathering near polling stations.

### **3.8 Conclusion and Recommendations**

This section concludes the chapter on legal and institutional frameworks for elections, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### **3.8.1 Conclusion**

The analysis of the legal set-up and institutional arrangements for the 2015 election has revealed strengths and weaknesses when tested against conventional international standards. Taken broadly, the weaknesses did not produce electoral irregularities that could significantly undermine the credibility, freeness and fairness of elections. Notwithstanding relative strengths of the legal and institutional frameworks, the need for electoral reforms is inescapable if Tanzania wants to satisfy the conventional international electoral standards for credible, free and fair elections.

### **3.8.2 Recommendations**

It is recommended that the electoral stakeholders in Tanzania take steps to address a number of inadequacies in the legal and institutional frameworks governing electoral practices. Reforms in the constitution and legal spheres are required to provide for:

- (i) the state to consider to enact a legislation which would enable the establishment of an independent body for monitoring campaign and political financing especially during elections;
- (ii) political parties to form coalitions and alliances for the purpose of enhancing their competitive edge;
- (iii) independent candidates in presidential, parliamentary and councillorship elections;
- (iv) participation of the Diaspora as voters in elections;
- (v) enhancement of the independence of election management bodies, NEC and ZEC;
- (vi) the right of aggrieved persons to file a petition in a court of law to challenge the election of president-elect;
- (vii) strengthening the enforcement and compliance mechanisms of the Election Expenses Act;
- (viii) a timeframe in which a party member could defect to a new party and stand as its candidate in presidential, parliamentary and councillorship elections;
- (ix) regulation of defence and security groups owned by political parties;
- (x) harmonisation of the electoral laws as well as extending the mandates of NEC to manage Local Authorities Elections; and
- (xi) implementation arrangements to allow inmates remanded or serving sentences of less than six months to exercise their right to vote in elections.

## **CHAPTER 4**

### **BIOMETRIC VOTER REGISTRATION PROCESS**

#### **4.1 Introduction**

For the first time, the Biometric Voter Registration technology was used to update the Permanent National Voter Register for the 2015 general election. All previous voter identity cards issued since 2004 using the Optical Mark Recognition technology were hitherto invalidated. In essence, the adoption of the Biometric Voter Registration technology opened a window for fresh registration that incorporated those previously registered and first time voters. This chapter assesses the update of the voter registration using the Biometric Voter Registration technology. It is divided into nine sections. After this introduction the second section deals with the justification for introduction of the Biometric Voter Registration. The third section examines the legal and institutional frameworks for BVR. Section four deals with management of the Biometric Voter Registration process, followed by voter education in section five. Irregularities and their handling is the subject of section six whereas section seven provides estimated and actual registered voters. Overall assessment of the Biometric Voter Registration process is dealt with in section eight proceeded by conclusion and recommendations in section nine.

#### **4.2 Justification for BVR**

As the 2015 election drew closer, the National Electoral Commission (NEC) was increasingly being scrutinised by electoral stakeholders, especially political parties, for constantly failing to update the Permanent National Voter Register (PNVR) since the 2010 elections. The PNVR was established in 2004 using the Optical Mark Recognition (OMR) technology and was used for the first time during the 2005 general election. The last update was done in 2008 in which two million new voters were registered.

NEC cited delayed funds from government as the reason for failing to update the PNVR regularly as per legal requirement. In the midst of this quagmire, it came as a surprise when NEC announced the adoption of the Biometric Voter Registration (BVR) technology to update the Permanent National Voters' Register (PNVR). It seemed unrealistic to meet the deadline given the fact that the year was fully packed with the constitutional review process underway and a constructional referendum scheduled immediately thereafter in April 2015. Concerns centred on availability of funds from the government, and inadequate time to roll out the BVR process.

BVR is “a system for automatic, advanced and instant capturing fingerprints, facial picture and digital or digitised signature achieved through use of computers, fingerprint scanners and digital cameras to capture the bio-data of applicants”.<sup>2</sup> Although the OMR technology was much advanced compared to the manual register used for the 1995 and 2000 elections, it still was not fully digitised. Photos were taken using Polaroid cameras then affixed to the voter ID which had a nylon pouch to protect it. Voters also signed on the paper ID. Voter particulars,

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<sup>2</sup> Mwighusa, D. M. (2015). Transforming voter registration paradigm in Tanzania: From OMR to BVR. *International Journal of Science and Research*, 4(8), pp. 1064-1068. Emphasis added.

taken on special machine-readable paper were scanned and stored in electronic soft copies at the end of the exercise. This method did not have in-built mechanisms for detecting multiple registrations. BVR, by contrast, is fully digitised with electronic signature, photo and fingerprints. NEC justified this decision based on the superiority of the BVR over the OMR technology, including the following: (i) improved efficiency in the registration and transparency of the electoral process; (ii) accelerated speed and accuracy of recognition of voters; (iii) in-built mechanism for checking against multiple registration; (iv) easy to create, maintain and update the PNVR; (v) minimisation of the possibility of election fraud; (vi) accuracy of data captured where voter details are captured directly into the system with verification and confirmation by voters before saving; and (vii) easy to set up and consolidate the database with a minimal verification process.



*Biometric Voter Registration in progress at one of the registration stations on Tanzania Mainland*

Nevertheless, there lingered scepticism on the feasibility, capacity and readiness of NEC to produce the updated PNVR in time for both the constitutional referendum initially planned to be held on 30th April 2015 and the general election in October 2015. Some of the doubts centred on the fact that: (i) much more time was needed for vendor identification, procurement, pilot testing, re-adjustment and fully fledged registration; (ii) the country did not have adequate supporting infrastructure for BVR: reliable electricity, storage facilities, etc.; (iii) NEC was not adequately prepared to deal with technological and logistical challenges that emerged when other African countries rolled out the use of BVR; (iv) it was very costly and NEC could cooperate with NIDA which was concurrently issuing national ID cards. It is estimated that NEC spent approximately TShs. 180 billion to register 20 million voters whereas NIDA spent approximately the same amount to register 2.5 million citizens.<sup>3</sup>; (v) BVR will not guarantee deterrence of unscrupulous officials if they are determined to rig the election.

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<sup>3</sup>Mwandishi Wetu (2016) “Siri waliotumbuliwa NIDA yaanikwa”; *Mwananchi* Newspaper, 27/1/2016. See also Lyimo, Karl (2014) “Biometric Voter Registration vis-à-vis national ID card: Who is right?”, *Business Times*, 1/8/2014

### 4.3 Legal and Institutional Frameworks for Voter Registration

From a legal perspective, voter registration can be situated within the Constitution of the United Republic of Tanzania, especially Article 5, as read together with the National Elections Act, CAP 343 R.E. 2010 (as amended) and various election regulations. Article 5 entitles the right to vote in elections to any Tanzanian who has attained the age of 18 years. Article 5(2) provides conditions restricting a citizen from exercising the right to vote to include (a) being a citizen of another state; (b) being mentally infirm; (c) being convicted of certain specified criminal offences; (d) omission or failure to produce evidence as to age, citizenship or registration as a voter. The last condition means that unlike the practice in a few countries such as Switzerland, in Tanzania, although it is mandatory for voting, the onus for registration stands on an individual and is voluntary. No one can be held legally liable for not registering as a voter.

The Constitution and the National Elections Act empower NEC to oversee voter registration exercise. The Constitution and the National Elections Act have undergone several amendments to cater for new changes over time. It should be noted that ad hoc registration of voters using a manual system was used for the 1995 and 2000 elections. Following widespread shortcomings and criticisms from various quarters and also to take on board some of the provisions of Muafaka I of 1999 in Zanzibar, the Constitution and the Elections Act were amended in 2000 to pave way for the establishment of the Permanent National Voter Register (PNVR).<sup>4</sup> However, it was not until 2004 when the PNVR was introduced using the Optical Mark Recognition (OMR) technology in Tanzania Mainland and was used for the 2005 and 2010 elections.



*TEMCO Long term observer observing the BVR process*

In observing the BVR process, TEMCO wished to ascertain if, generally, the electoral laws and institutional frameworks for voter registration in Tanzania were just and matched international standards and good practice for elections. Although it was concluded that the electoral laws and institutional frameworks were satisfactory, the legislation does not provide for the registration of the Diaspora. Also, in practice, the inmates serving less than six months

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<sup>4</sup> TEMCO (2005) Preparation of a Permanent Voters' Register for Tanzania Mainland, Dar es Salaam, TEMCO

sentences and the people who are admitted in hospital for treatment during the period of voter registration are denied the opportunity to register as eligible voters. While the law neither precludes nor disqualifies these two groups from registration, it does not make any special accommodation to their circumstance. Accusations that NEC is not independent and autonomous were also intermittently aired by political parties and have continued to fuel debate over legal standing of the EMBs in Tanzania.

#### 4.4 Management of the BVR Process

Voter registration, as other processes around the electoral cycle, needs meticulous logistics arrangement, adequate and competent human resources and enough funds to purchase goods and services. NEC’s decision to adopt the BVR, made this need even more salient. To begin, NEC had to establish a suitable technology to suit the Tanzanian environment, tender for equipment and tools supply, pilot test the technology and finally ensure timely pay and delivery of adequate number of BVR kits.

##### 4.4.1 Human Resource

The process of BVR was organised at different levels, involving officials of differing ranks and responsibilities. At the regional level a Regional Elections Coordinator was in charge and ensured smooth registration. The city, municipal, town and district directors dubbed as Returning Officers, were responsible for respective constituencies within their areas. These were appointed by NEC according to sections 7A (1) and 8 (1 and 2) of Acts No. 13 of 2004 and No. 8 of 1995, respectively, by virtue of their positions. At the ward level, Ward Executive Officers served as Assistant Registration Officers, recruited from within the respective jurisdictions to assist the Returning Officers. At the level of the registration centre, BVR kit operators and registration clerks did the actual registration of voters and were responsible for the overall supervision of the centre. Several IT experts were also hired to service and maintain the BVR kits. In many constituencies it was noted that the number of IT experts was not adequate. Reports from TEMCO observers indicate that each ward was allocated one IT expert. In case of simultaneous BVR kits breakdown it took a long time for the IT expert to arrive after attending similar cases elsewhere.

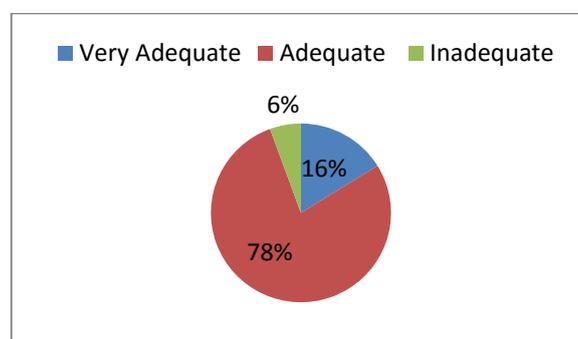


Figure 4.1: Adequacy of Training Materials  
Source: TEMCO Observers’ Filed Reports, 2015

TEMCO assessed the adequacy of training materials and the results are shown in Figure 4.1. Generally, 78% of respondents conceded that training materials were adequate and only 6% said that training materials were not adequate.

Apart from education and professional qualifications, all electoral staff were required to demonstrate qualities of integrity, respect, confidence, commitment and impartiality. They also needed to be resident within the constituency. The recruitment was done by registration officers, after which a contractual agreement was concluded with the appointees as employees of NEC for the entire duration of registration in each region. The AROs were trained for two days. The training addressed: (i) laws and regulations governing the registration of voters using the BVR technology; (ii) operating BVR kits; (iii) filling in relevant forms; (iv) BVR kits handling; (v) minor maintenance and cleaning of BVR kits; (vi) basic BVR kit troubleshooting; and (vii) identifying eligible voters.



*BVR kit operators training in Kwimba*

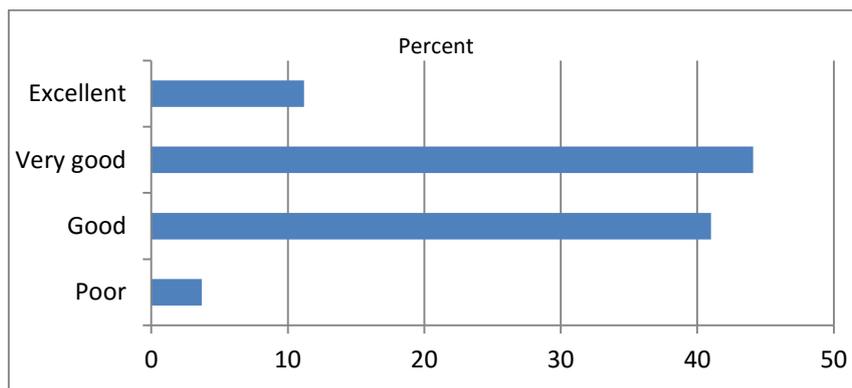


*BVR kit operators training in Kwimba*

It is interesting to note that although in the whole, BVR kit operators demonstrated high levels of competence, there were a few cases of incompetence that TEMCO observers noted. In Geita District, about 150 people from different registration centres complained of low quality cards, a problem that largely reflects the level of competence of BVR kit operators. Some registration cards especially in Nyerere Road, Kilangalanga Ward were printed upside down. At the end of the registration exercise on 23rd June 2015 in Buhalahala Ward, Mwatutole, about 400 people had not registered, notwithstanding their decision to remain at the registration centre up to 9 p.m. This culminated to violence when officials tried to remove the BVR kits from the station. Two car windows were smashed.



*A car smashed by angry people following a misunderstanding with registration officials in Geita*



*Figure 4.2: Overall Performance of Registration Officers*  
 Source: TEMCO observers' Filed Reports, 2015

Figure 4.2 shows a very satisfactory level of performance of registration officers. About 4% of registration officers in observed centres indicated poor performance, meaning that 97% of registration centres performed to the satisfaction of many stakeholders.

BVR kit operators seemed to gain more confidence and efficiency as registration continued. The observed trend was a slow start in the first two days as operators accustomed themselves with the machines. As days passed, their speed improved. It was unfortunate that NEC spent only seven days at any particular ward and moved to another afterwards. However, slowness was not a problem where the same team of registration officials moved from one ward to another within the constituency.

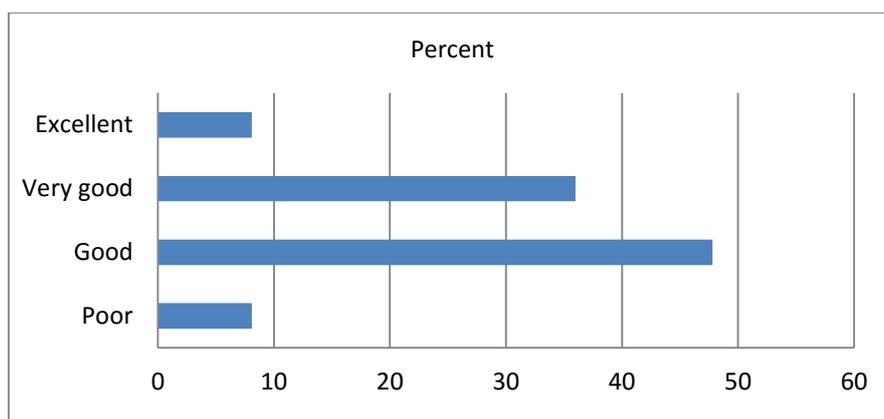


Figure 4.3: Adequacy of Training of Registration Officials  
Source: TEMCO observers' Filed Reports, 2015

As shown in Figure 4.3, about 48% of TEMCO observers assessed the training of registration officials to be good while 36% said it was very good. Only 8% of the training was assessed as poor.

Table 4.1: Did voter registration officials face difficulties in using BVR kits?

Response	Frequency	Percent
Yes	109	67.7
No	52	32.3
<b>Total</b>	161	100.0

Source: TEMCO observers' Filed Reports, 2015

Generally, as shown in Table 4.1, about 68% of registration officials mastered the use of BVR kits. Many of the difficulties that registration officials faced were related to software (67%) while the rest were hardware related difficulties.

#### 4.5 Finances, Registration Centres, BVR Kits and Materials

In order for voter registration to be carried out effectively, NEC had to establish adequate number of voter registration stations per ward. Registration stations also needed to be well equipped and provided with adequate number of BVR kits. TEMCO noted that NEC was to some extent not only under-resourced but also did not get adequate funds to procure the required number of BVR kits in good time. The disbursement of funds from the government to the Commission was to a certain extent erratic, adversely affecting the procurement plan. Initially, NEC had planned to use about 15,000 BVR kits but after several reviews the number was reduced to 8,000 for the registration of about 24 million eligible voters.

##### 4.5.1 Procurement of BVR Kits

By the time the pilot registration exercise started, in December 2014, NEC had procured 250 kits. NEC promised that another consignment of 7,500 kits would arrive in the country any time to enable a wider and speedier registration process. The procurement of BVR kits was delayed significantly causing frequent postponement of the the registration exercise. NEC announced that the supplier of the BVR kits was Lithotech Exports of South Africa, although

the tendering process was not wholly transparent to the public. For instance, on 23rd September 2014, NEC Chairperson Justice Damian Lubuva was quoted by ThisDay confirming that the government had paid TShs. 290 billion (out of TShs. 298 billion) as advance to procure BVR kits. By March 2015 the anticipated additional BVR kits had not arrived in the country. Pressure and anxiety was building up among the general public.<sup>5</sup> On 25th March, 2015, the Prime Minister Hon. Mizengo Pinda informed that the government had disbursed 70% of the required funds needed for the purchase of BVR kits.<sup>6</sup>



*BVR Kits ready for distribution by NEC during voter registration period*

This confusion forced some MPs to demand an explanation from the government over what was exactly happening during the 18th session of the national assembly meeting in April, 2015. When adjourning the 18th Session of the National Assembly, the Prime Minister announced that the government had paid 100% of the funds needed to purchase the BVR machines. He also announced that the scheduled date for conducting the constitutional referendum, 30th April 2015, would not be realistic and that NEC would announce a new date.<sup>7</sup> The next day, NEC Chairperson confirmed the postponement of the constitutional referendum until further notice. He also acknowledged that the government had paid the full amount for the purchase of BVR kits. He noted that NEC had received additional 248 BVR kits and that another 1,600 kits would arrive any time. With the 500 BVR kits NEC promised to embark on registration in four regions: Iringa, Ruvuma, Mtwara and Lindi, after completion of registration in Njombe on 18th April, 2015.

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<sup>5</sup> TEMCO Newsletter, Vol. 1, Issue 1&2 Combined, March-April, 2015

<sup>6</sup> Daily News, 25/3/2015

<sup>7</sup> The Citizen, 10/04/2015

#### 4.5.2 Timetable and Distribution of Materials and Equipment

On 16th December, 2014 NEC conducted a pilot voter registration exercise using the BVR technology in three constituencies: Mlele (Katavi), Kawe (Dar es Salaam) and Kilombero (Morogoro). This came after considerable procrastination, as NEC had failed to initiate this process in August, September and October, 2014 as it had announced earlier<sup>8</sup>. Pilot testing was a critical phase in rolling out BVR technology as it provided an opportunity to assess the efficacy and limitations of the technology under various circumstances. It gave the supplier an opportunity to improve the observed weaknesses before rolling it out on a larger national-wide scale. Some of the observed hitches were hardware malfunction, bad weather (for Morogoro and Dar es Salaam) and illiteracy. The problem of hardware malfunction delayed the registration in many centres in Dar es Salaam, generating a lot of complaints. NEC promised to take on board all observed shortcomings and limitations and to iron them out ahead of the country-wide registration exercise.<sup>9</sup>

Table 4.2: Registration Figures (estimate and actual) in Pilot-tested Constituencies

S/N.	Constituency	Estimated	Registered	Variance
1.	Katavi	11,394	11,210	-184
2.	Kawe	35,426	21,323	-14,103
3.	Kilombero	17,790	19,188	+1,398

Source: Computed from NEC statistics, 2015

As Table 4.2 indicates, the pilot testing proved that BVR technology could work in Tanzania despite the hitches (technological and power supply) and that it was possible to reach the estimated targets.

The actual updating of the PNVR through BVR technology in Tanzania kicked off on a low gear on 23rd February, 2015 in Njombe Region using 250 BVR kits available at the time. Registration speed accelerated slowly over the five months duration of the process as the supplier, Lithotech Export of South Africa, delivered by instalments all the 8,000 BVR kits towards the end. Registration was concluded in Dar es Salaam and was done for 14 days (22nd July to 4th August, 2015). NEC produced a comprehensive registration schedule on 22nd May 2015, two months after commencement of the registration exercise, following continuous protests from political parties and other stakeholders. However, the schedule underwent adjustments owing to the obtaining circumstances.

Reports from TEMCO LTOs indicate that the bulk of registration took place in the months between May-July 2015. In many cases, registration took 30 days with a provision of extension where need arose, especially where many people had not registered on the last day set for the exercise. Towards the end, as more BVR kits arrived and others collected from other regions, more kits were used and thus reducing the number of days for registration. In Dar es Salaam registration was planned to last for only 10 days although finally four more days were added.

<sup>8</sup> ThisDay, 12/11/2015

<sup>9</sup> TEMCO Newsletter, Vol 1, Issue 1&2 Combined, March-April, 2015

In the Coast Region registration took 14 days. In Zanzibar only three days were set aside to register people who had not been registered by the Zanzibar Electoral Commission (ZEC) but who otherwise qualified for Union elections. Given the small number of people in this category, registration proceeded smoothly and all eligible voters who turned out were registered by the third day. NEC clustered regions into different registration phases. Registration was therefore accomplished in one cluster before moving the BVR kits to continue registration in the next cluster of regions. Registration was phased within regions as well as in accordance with plans prepared by the registration officers at the council level such that each ward was allocated only seven days.

*Table 4.3: Registration Schedule Extracted from NEC Communication to the Public, May, 2015*

S/N.	Region	Starting	Completing	S/N	Region	Starting	Completing
1.	Njombe	23/02/2015	23/03/2015	14.	Geita	02/06/2015	04/07/2015
2.	Lindi	24/04/2015	24/05/2015	15.	Mwanza	02/06/2015	04/07/2015
3.	Mtwara	24/04/2015	24/05/2015	16.	Shinyanga	02/06/2015	04/07/2015
4.	Ruvuma	27/04/2015	28/05/2015	17.	Simiyu	02/06/2015	04/07/2015
5.	Iringa	29/04/2015	29/05/2015	18.	Kilimanjaro	12/06/2015	12/07/2015
6.	Katavi	18/05/2015	17/06/2015	19.	Arusha	12/06/2015	12/07/2015
7.	Mbeya	19/05/2015	18/06/2015	20.	Mara	12/06/2015	12/07/2015
8.	Dodoma	20/05/2015	19/06/2015	21.	Manyara	12/06/2015	12/07/2015
9.	Rukwa	24/05/2015	23/06/2015	22.	Morogoro	18/06/2015	18/07/2015
10.	Kigoma	21/05/2015	18/06/2015	23.	Pwani (Coast)	18/06/2015	18/07/2015
11.	Kagera	21/05/2015	18/06/2015	24.	Tanga	18/06/2015	18/07/2015
12.	Singida	21/05/2015	18/06/2015	25.	Zanzibar	14/06/2015	16/06/2015
13.	Tabora	21/05/2015	18/06/2015	26.	Dar es Salaam	04/07/2015	16/07/2015

In many regions, information on exact start and end dates for BVR process in particular wards was either mixed or poorly communicated to the public. This affected some people who travelled out of their respective wards during the registration time.

#### ***4.5.3 Set up and operation of the registration stations***

NEC was responsible for ensuring that registration centres were adequate and allowed smooth registration without any hassles to voters. It was important therefore to ensure that registration centres were located within a walking distance from peoples' residences. Registration centres were also required by law to be located in public buildings and TEMCO observation proved that 99.4% of registration centres met this requirement. Some of the remaining 0.6% of voter registration centres were located in places of worship. In Tabora people demanded a relocation of such a registration centre and NEC complied. It is interesting to note that 26% of registration stations were located in makeshift structures. In some cases, registration was conducted under shades of trees or in open spaces with only rudimentary roofing materials. Such centres were not only safety hazards for BVR kits but also improper working environment for BVR kits operators.



*A voter registration centre in Bahi, Dodoma*



*At Mlela Primary School, Kandaga, Kigoma, people could sit waiting for their turn to be registered*

*Table 4.4: Accessibility of Registration Stations*

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>They were accessible and accommodated people with special needs</b>	119	73.9
<b>They were not easily accessible by people with special needs</b>	37	23
<b>They were located in hilly places and some people could have difficulties accessing them</b>	1	0.6
<b>They were very far away more than three kilometres away</b>	4	2.5
<b>Total</b>	161	100.0

Source: TEMCO observers' Filed Reports, 2015

As shown in Table 4.4, about 74% of voter registration centres were conveniently located and could be accessed by all voters, including those with special needs (pregnant women, the elderly and people with disability). However, 23% of voter registration centres could not be easily accessed by people with disability whereas 3% of them were located very far away, forcing them to walk long distances to register themselves. This happened in mobile and scattered communities such as pastoralists or people moving from place to place in search of temporary farm work.

TEMCO's findings reveal that registration centres generally opened and closed on time. Of the 10,432 BVR stations that were observed, 8,398 (80.5%) were opened within the prescribed time, whereas 2,034 (19.5%) were opened after 8:00 a.m. for various reasons, including moving BVR kits to and from registration centres for central storage. Regarding the closing time, most of the centres (64%) closed the registration exercise on time, i.e. 6:00 p.m. It became necessary in certain areas to continue registration after 6.00 p.m. to try to clear the long queues of people or sometimes to compensate for late opening.

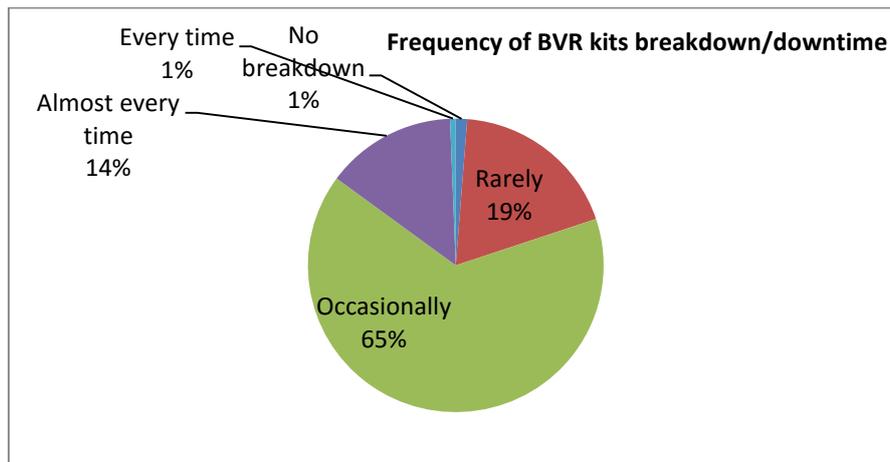
Registration proceeded smoothly and peacefully with only minor skirmishes that did not interfere with the exercise. Registration materials and equipment were adequate such that no station was forced to close because of shortfall in supply. In 67% of observed stations, no cases of BVR kits breakdown were reported; however, 33% of observed registration stations experienced BVR kits breakdown that lasted for varied durations, the longest being one day.

*Table 4.5: Were there adequate BVR Kits in the Registration Station?*

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	102	63.4
<b>No</b>	59	36.6
<b>Total</b>	161	100

Source: TEMCO observers' Filed Reports, 2015

As Table 4.5 shows, 63% of registration stations had adequate number of BVR kits whereas the remaining 37% experienced shortages. This is a significant level of shortfall.



*Figure 4.4: Frequency of BVR Kits Breakdown*

Source: TEMCO observers' Filed Reports, 2015

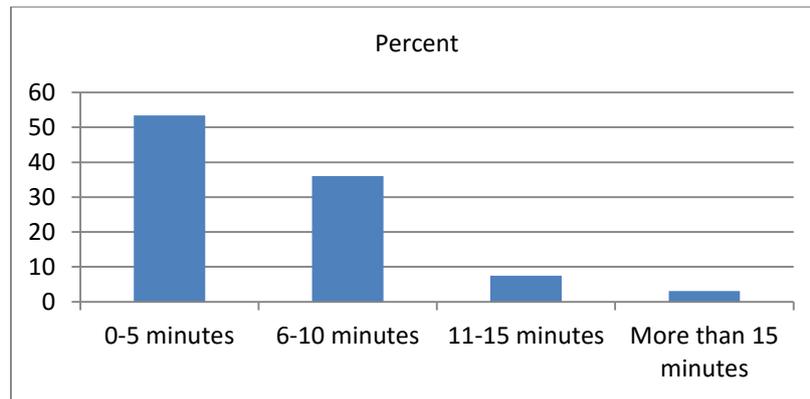
From Figure 4.4 we can conclude that the frequency of BVR kits breakdown was occasional and did not happen every time. TEMCO also noted that many technical problems were fixed within reasonable time. Almost in half of the observed registration centres technical problems were fixed within an hour.

*Table 4.6: Were there Backup BVR Kits?*

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
<b>Yes</b>	136	84.5
<b>No</b>	25	15.5
<b>Total</b>	161	100

Source: TEMCO observers' Filed Reports, 2015

Table 4.6 shows that there were backup BVR kits in 85% of observed stations and only 15% did not have such backup. This means also that in cases of BVR kit breakdown it was possible to arrange for a replacement while the problem was being addressed.



*Figure 4.5: Average Time to Register a Voter*  
 Source: TEMCO observers' Filed Reports, 2015

Figure 4.5 shows that in over a half of all observed registration stations it took a maximum of five minutes to register a voter, whereas in 36% of the registration centres observed it took ten minutes. In only 3% of the observed centre it took more than 15 minutes to do so. This indicates also a good level of competence of BVR kit operators.

One BVR kit was estimated to register 80 to 150 people per day and this remained the case in the large part of the country during registration. The main observed challenge was related to arrangement of people for registration. This was a problem when people showed up beyond the maximum daily capacity. In Nyamagana registration, officials provided numbers to people such that those in excess of the 150 were told to return the next day. At Nchenga Street the BVR kit operators were locked inside the centre on 18th June, 2015 by a group of angry people who were told to come back on the next day after spending the entire day trying to get registered. Police were forced to intervene by listing the names and promising to give them first priority the following day. In some cases, as it was at Kagunguli Primary School, BVR kits were shifted to other areas which had long queues, having registered all the people by the fourth day, on 13th June, 2015. Security of BVR kits caused concerns. On 23rd June, 2015 a BVR kit was stolen in Magu from a guest house in Kayenze Ward, where kits were being recharged overnight. The kit was, however, found abandoned but in good condition the next day 24th June.

Notwithstanding the absence of police officers in many BVR stations, almost in all places where TEMCO deployed observers, there were no signs of intimidation, harassment, disruption or obstruction of the BVR process. The local leaders were, to a large extent, able to regulate the flow of people into the registration stations and ensured that the queues remained orderly.

#### **4.6 Voter Education for Registration**

NEC has a constitutional mandate to provide voter education (VE) and to supervise and/or coordinate other institutions or persons providing voter education. The findings of TEMCO Election Observation Team show that VE for the BVR process was scant, under-funded, uncoordinated and patchy. TEMCO observers noted that information on voter registration was scant and inadequate in areas where they were deployed. However, some institutions were

noted to have disseminated knowledge on the voter registration process as follows: NEC (55%), political parties (33.5%), media (5.3%), Faith Based Organisations (3.6%) and Civil Society Organisations (2%). The main methods and strategies they used were posters, public address systems mounted on vehicles (NEC); public meetings (political parties); and preaching in places of worship (FBOs). TEMCO observers noted minimal involvement of political parties and civil society organisations in dissemination VE. In addition, information related to the BVR process was more disseminated in urban centres than in the rural areas where most people live.

TEMCO observers reported an alarming and significant number of people who required assistance to fill the registration form, including inserting a signature. These were not able to read letters of the alphabet, including NEC leaflets and posters which had instructions for the BVR process. This situation showed growing levels of illiteracy among the people especially in rural localities. Moreover, the observers pointed out that in some areas there were deliberate distortions or misconceptions regarding the objective of the BVR exercise. For instance, in Lindi some people thought that people whose finger prints could not be successfully scanned on a BVR scanner were witches. In Simiyu and Geita regions some people thought that the BVR exercise was intended to capture the killers of people with albinism, whereas in Tunduru there were people who claimed that BVR kits had multiple intentions in registering voters but also to test HIV/AIDS. Such misconceptions could be attributed to prevailing ignorance emanating from superstitious beliefs, old-valued beliefs and custom. It was noted that many people, particularly in boarder regions, did not understand BVR instructions in Kiswahili. This was phenomenal in Mpanda, Misenye, Kyerwa, Karagwe, Msalala, Maswa, Mbogwe, and Nyang'wale district councils.

#### **4.7 Irregularities, Problems, Challenges and their Handling**

##### ***4.7.1 Registration of Illegal Immigrants and Non-citizens***

TEMCO noted a few cases of fraudulent registration of illegal immigrants and non-citizens particularly in the border regions notably Kagera, Kigoma, Mbeya, Mtwara, Lindi, Mara, Kilimanjaro, Arusha and Tanga, contrary to the election legislation. In Kagera, TEMCO observers noted 185 registration attempts by illegal immigrants. Many of these cases were detected on time so that the individuals concerned were barred from registering as voters. Part of this was caused by the redefinition of the Uganda/Tanzania borderline in 1995 leading to apportioning Bugango Village, in Misenyi, which was in Tanzania. This has complicated the issue of identification in this village. Three people who had registered there had their cards confiscated when it was established that they were non-citizens. Even without the redefinition, many border areas face a similar challenge as people generally crisscross the borderlines and some have households on both sides of the frontier.

An interesting case similar to registration of non-residents concerned the plight of the 300 people of Nduta Village, Kibondo District in Kigoma Region who were refused registration. Nduta was planned to be established as a “model” village after refugees who formally occupied it had been repatriated back home. However, this move which was spearheaded by the MP for Muhambwe Constituency, Hon. Felix Mkosamali (NCCR-Mageuzi) was not favourably

received by the government. The tussle ended in court in which people who settled in Nduta won. It was alleged that the ploy to have the people of Nduta skipped in the BVR stemmed from the fear that they had developed strongly anti-government sentiments after the said saga.

In Tanga, a team of five immigration officials was involved in preventing registration of non-citizens. However, the TEMCO team noted that this number was not adequate to satisfactorily deal with the problem of illegal immigrants from Kenya, Somalia and Mozambique. It was a difficult task to screen citizenship and age of voters as many people who went to register had neither birth certificates nor any other identification documents.

#### ***4.7.2 Finger Print Reading***

One of the widely reported challenges that faced many people in different parts of the country was failure of BVR kits to read fingerprints of some people. The quality of finger prints can be affected by many factors including engaging in manual labour, age, use of cosmetics and pregnancy. In Newala, following protracted problems with finger printing, some sceptical voters, particularly the youth, started to spread rumours that voters whose finger prints could not be read on the BVR kits were witches. This intimidated potential voters as they feared to be labelled as witches. In Songea District, some people hesitated to register as they thought finger print screening also diagnosed HIV/AIDS. In Songea and Liwale, BVR kits were associated with Freemasons. In Liwale in Nabuya Primary School centre, on the first day of registration, it took 10 minutes for the registration officials to calm down and assure voters that the BVR kits were not related in any way with the Freemason belief.

Solving of finger printing problems took considerable time, sometimes up to 15 minutes. In some cases when all means failed, voters were advised to come back the next day. It is doubtful if all of them came back. In Iringa, the finger printing problem was tackled by asking the people concerned to wash their hands and rub them gently. Our observer in Tunduru noticed a special spray applied on rough fingers to smoothen the contours. Both techniques worked to some extent. In Namihu registration centre, Liwale District, as in Shinyanga, TEMCO observed a strange tendency by BVR kit operators who simply recorded as “disabled” all those whose finger prints could not be recognised by the BVR. This misrepresented personal details and NEC would need to follow up and clarify on such cases.

In Simiyu, finger printing problems were handled more professionally than in other regions by entering the “no finger print” option instead of “disabled” for those whose finger prints failed to read after several attempts. In Kondo a the problem of finger printing reading got a solution after discovering a medicinal plant known as makayukayu which was superior to normal hand washing soap. Many people resorted to this plant thus easing considerably finger print recognition by the BVR kits. Before this discovery the process had been slowed down as people had to make several attempts, in vain.

### ***4.7.3 Long Queues at Registration Centres***

TEMCO noted a high level of enthusiasm by potential voters who turned out to register themselves. Long queues of people aspiring to be registered became phenomenon in many regions. However, this is tricky and cannot be taken to have negatively affected the process. In Arusha and Dar es Salaam and other cities people invented various means to escape the long queues. In Arusha, for instance, some youth took the registration as a money making venture. They would wake up very early in the morning to beat the queue but with an intention of selling the slot to other people who came later and did not want to stand at the back of the long queue. In other cases, some people borrowed babies from other people so that they could be given preferences in registration stations. Others resorted to a system of lining up stones to mark positions in the queue. This in some areas came to be known as the “stone system”. The problem of long queues would have been minimised had NEC devised more effective means of registering people. It might have been possible to register people using a certain predetermined arrangement such as moving from one street to another. In Dar es Salaam people searched for registration stations with short queues but these happened to be very far away from their usual areas of residence. This might have had an impact on the Election Day especially if these people voted in their constituencies and not where they had registered.



*Long queues at Nchenga Street registration centre, Mwanza*

#### ***4.7.4 Inadequate Remuneration for BVR Kit Operators***

TEMCO noted that the BVR kit operators and registration clerks were not adequately remunerated. Many of them noted that the Tshs. 20,000 total pay package provided was not commensurate with the work load. Those deployed in remote areas moved away from their homes and arranged for accommodation close to duty stations. In some localities such as Shilabela and Sengerema in Iyogelo Ward, BVR kit operators had to borrow furniture from people living near the centres as there was no budget provision for that. As word about registration had not reached some areas, BVR kit operators were also forced to go out to mobilise and sensitise people. The RO in Sengerema admitted that the pay was not adequate but urged BVR kit operators to develop a sense of patriotism. In Rufiji, the majority of BVR kit operators decided to terminate their engagement after completion of registration in the first zone, citing low pay as the reason. In Nyamagana, misunderstandings occurred when the daily transport allowance was reduced from Tshs. 5,000 to Tshs. 2,000 per day. This forced registration officials to resort to the use of motorcycles to move kits to and from the registration centres. On 28th June, BVR kit operators in Mabatini and Mbugani wards stopped the registration for about three hours demanding for an explanation for the unilateral decision to reduce fees.

#### ***4.7.5 Incompetence of BVR Kit Operators***

It was noted that many BVR kit operators failed to handle many of the minor hardware and software problems and had to wait for IT specialists. This caused anxiety as people feared they might not be registered until the end of the registration exercise. On 27th May 2015 fracas ensued in Nguruka, Kigoma as people started to scramble for inclusion into the register. Normalcy returned after the ARO assured all of them that they would be registered. In Gungu, people complained as registration officials left them in the queue to take lunch break. They were instructed to bring lunch to registration centres.

#### ***4.7.6 Estimated and Actual Registered Voters***

At the writing of this report, NEC had not released the total number of expected and actual number of registered voters. However, when NEC released the presidential election results it showed that the registered voters were 23,161,440 (96.9%) eligible voters out of the projected 23,913,184. The breakdown of registered voters by regions and across gender is shown in Table 4.710.

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<sup>10</sup>The figures shown in Table 12 are subject to confirmation from appropriate authorities.

*Table 4.7: Number of Registered Voters by Region and Sex*

S/No.	Region	Men	Women	Total	%F
1	Arusha	494,699	514,593	1,009,292	51
2	Dar es Salaam	1,319,202	1,456,093	2,775,295	52
3	Dodoma	510,581	560,802	1,071,383	52
4	Geita	374,137	513,845	887,982	58
5	Iringa	254,095	275,792	529,887	52
6	Kagera	508,537	543,144	1,051,681	52
7	Kaskazini Pemba	7,066	4,504	11,570	39
8	Kaskazini Unguja	5,856	3,746	9,602	39
9	Katavi	142,363	179,764	322,127	44
10	Kigoma	339,157	453,394	792,551	52
11	Kilimanjaro	382,600	417,749	800,349	52
12	Kusini Pemba	5,645	3,341	8,986	37
13	Kusini Unguja	3,295	1,782	5,077	35
14	Lindi	245,256	269,302	514,558	52
15	Manyara	352,627	325,959	678,586	48
16	Mara	413,679	479,062	892,741	54
17	Mbeya	659,516	738,138	1,397,654	53
18	Mjini Magharibi	7,289	5,659	12,948	44
19	Morogoro	624,947	647,004	1,271,951	51
20	Mtwara	336,016	392,965	728,981	54
21	Mwanza	723,984	724,900	1,448,884	50
22	Njombe	175,993	207,373	383,366	54
23	Pwani	349,423	348,110	697,533	50
24	Rukwa	222,521	237,052	459,573	52
25	Ruvuma	359,643	380,131	739,774	51
26	Shinyanga	360,557	412,716	773,273	52
27	Simiyu	304,717	414,060	718,777	58
28	Singida	313,199	335,698	648,897	52
29	Tabora	522,564	575,196	1,097,760	52
30	Tanga	481,426	528,327	1,009,753	52
	Grand Total			22,750,791	53

Source: NEC, 2015

#### **4.8 Overall Assessment of the Voter Registration Process**

TEMCO assessed the overall performance of the voter registration exercise with the aim of underscoring the extent to which the exercise could be said to have contributed to freeness and fairness of the elections. The assessment results are presented in Table 4.8.

*Table 4.8: Assessment of the Voter Registration Process*

S/N.	Nature and character of registration	Marks/%	Frequency	Percent
	Voter registration process had very few irregularities which did not at all affect the results of the exercise. Overall the registration was clean, free and fair.	A (80-100)	24	14.9
	Voter registration process was generally free and fair but still had a few irregularities which in their totality neither affected in any meaningful way the final outcomes of the election nor worked against the fortunes of stakeholders (political parties, candidates and voters).	B (60-69)	112	69.6
	Voter registration process permitted free participation of stakeholders (political parties, candidates and voters), but there were many instances of breach of registration rules and regulations with impunity and there were favouritism that worked against the fortunes of some voters.	C (50-59)	24	14.9
	Voter registration process was marred by numerous flaws related to non-compliance of some registration rules, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40-49)	1	0.6
	Voter registration was disrupted or mismanaged to the extent that stakeholders could not accept the voter list.	E (1-39)	0	0
	Voter registration was marred by severe irregularities. There was so much favouritism, foul play and corruption to the extent that some candidates decided to withdraw from the voter registration process, took legal action or lodged formal complaints. Voter registration was an aborted process.	F (0)	0	0
	Total		161	100.0

Source: TEMCO observers; Field Reports, 2015

As shown in Table 4.8, LTOs deployed in 161 constituencies reported that the registration process of one constituency (0.6%) was “unfree and unfair”; in 24 constituencies (14.9%) the registration process received “free but not fair” certification; in 112 constituencies (69.6%) received a “qualified free and fair” certification; while 24 constituencies (14.9% were considered to have conducted a “clean free and fair” registration process.

## **4.9 Conclusions and Recommendations**

This section concludes the chapter on the biometric voter registration process, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### **4.9.1 Conclusion**

Overall, the voter registration process using the BVR technology was conducted smoothly within the ambit of the legislation governing electoral processes in Tanzania. Irregularities and managerial hitches/pitfalls were few and did not adversely affect the quality and integrity of the BVR process in any significant ways. The government met the cost of the BVR, which was a step forward towards reducing external dependence even in matters of utmost sensitivity to national survival. The decision of NEC to shift from the Optical Mark Recognition technology to Biometric Voter Registration was bold and commendable given the inbuilt mechanisms for detecting and removing multiple registrations from the PNVR. The use of the BVR technology ensured that a more comprehensive, accurate and reliable national voters' roll was in place. NEC executed its mandate properly and professionally, notwithstanding the financial resources and time constraints that to some extent undermined its performance, efficiency and effectiveness.

The attainment of 96.9% registration of all estimated eligible voters stands testimony to the competence and dedication of NEC personnel who discharged their duties diligently amid meagre pay and hard conditions. NEC commitment and resolve to ensure that all potentially eligible voters are given a chance to access the BVR process by extending registration where many people had not registered after the set deadline is commendable. It is a fact that all election stakeholders supported NEC in different ways to successfully implement the BVR process. Initially, political parties including the ruling party were sceptical of the BVR process although this faded over time.

### **4.9.2 Recommendations**

In view of the observation of the legal and institutional frameworks for the management of the BVR, TEMCO would like to make the following recommendations:

- (i) The process of procurement of BVR kits was not sufficiently transparent and NEC needs to ensure increased transparency as it deals with sensitive issues
- (ii) NEC should consider beefing up its pay package to various functionaries. The amount provided to BVR kit operators was not adequate.
- (iii) NEC should consider the best way of optimising the use of BVR kits in between elections. While they can still be used for constant updating of the PNVR, the kits can also help in the citizenship registration process and issuance of national IDs by NIDA.
- (iv) NEC needs to be more organised and prepared in future especially in crowd management. Although voter registration proceeded well, people had to endure long queues and some of them spent more than one day to get registered.

## **CHAPTER 5**

### **NOMINATION OF CANDIDATES**

#### **5.1 Introduction**

Nomination of candidates is one of the major critical components in the electoral cycle. This chapter focuses on the nomination of candidates by political parties and EMBs in the 2015 election. The chapter is organised in eight sections including this introduction. Legal context and procedures for intraparty nominations is a subject of section two followed by intra-party nominations in section three. Inter-party defections, nomination by NEC and unopposed candidature are dealt with in sections four, five and six. Section seven covers overall assessment of the nomination process whereas section eight concludes the chapter and offers recommendations.

#### **5.2 Legal Context and Procedures for Intraparty Nominations**

In Tanzania, the legal regime guiding the country's electoral processes confines nomination of candidates for various posts (i.e. presidency, member of parliament, member of the house of representatives and local government leaders) to be channelled through registered political parties. The relevant legal documents, which prescribe general and specific procedures on the conduct of nomination of candidates to compete in the 2015 general election under the sponsorship of fully registered political parties, include: (i) Constitution of the United Republic of Tanzania, 1977; (ii) Constitution of Zanzibar, 1984; (iii) National Elections Act Cap 343; of 1985 (iv) Zanzibar Elections Act. No. 11 of 1984; and (v) Local Authorities (Elections) Act, 1979.

Both NEC and ZEC are mandated to appoint a nomination day for election of candidates by notices published in the Gazette. In the case of 2015 election, the nomination day for constituencies should be set, not less than five or more than twenty-five days, after the dissolution of the National Parliament and the House of Representatives<sup>11</sup>.

Nomination of candidates in 2015 election was of three categories, namely presidential, Members of Parliament Councillor candidates.

#### **5.3 Intra-Party Nominations**

Nomination of candidates by political parties in the run up to the 2015 general election aroused excitement, anxiety, and attracted a lot of attention in big political parties, in the ruling party and the main opposition political party, CHADEMA. The major reason for such enthusiasm and anxiety in CCM was the presidential succession race. No wonder, there was media frenzy when a record 42 presidential aspirants picked the presidential nomination forms.

##### ***5.3.1 Nominations of Presidential Candidates***

TEMCO reports show that only two political parties CCM and CHADEMA had elaborate nomination procedures at all levels. Other political parties did not nominate presidential

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<sup>11</sup>Article 37(1) (a) of the National Elections Act Cap 343 (made under section 124) and Article 45 (1) (a) of the Zanzibar Elections Act, No. 11 of 1984.

candidates using the conventional democratic procedures which presuppose transparency, openness and competitiveness.

### ***5.3.2 Nomination of Presidential Candidates in CCM***

The nomination process for the selection of the ruling party's presidential candidate was an exercise which tested internal cohesion and intra-party democratic practices. The nomination for the presidential candidate attracted 42 CCM members, including 12 ministers, including the incumbent Vice President and Prime Minister; two former Intelligence Chiefs and a retired Chief Justice. Eventually 38 candidates fulfilled conditions to reach the shortlisting stage in the party's nomination process. The list of CCM members who picked up forms, as aspiring presidential candidates, is appended as Annex 4.



*A cartoonist impression of CCM aspirants for the presidential race<sup>12</sup>*

On 11th July, 2015 the Central Committee shortlisted five candidates: January Makamba, Asha Rose Migiro, Amina Salum Ali, John Pombe Magufuli and Bernard Kamilius Membe. On the same day, the National Executive Committee (NEC) released names of three front-runners: Asha-Rose Migiro, Amina Salum Ali and John Pombe Magufuli. On 12th July, 2015 the CCM National Congress voted to elect the party's nominee for the presidential election.

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<sup>12</sup> This cartoon appeared in one of the newspapers during the nomination process within political parties.



*A cartoonist impression of CCM aspirants for the presidential race<sup>13</sup>*



*President and CCM Chairman Dr. Jakaya Kikwete introducing CCM's presidential candidate Dr. John Pombe Magufuli*

Asha-Rose Migiro received 59 votes (2.44%), Amina Salum Ali garnered 254 votes (10.5%), and John Pombe Magufuli received 2,104 votes (87.05%). Consequently, John Pombe Magufuli was declared the CCM flag bearer in the presidential race. He nominated Samia Suluhu Hassan as his running mate.

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<sup>13</sup> This cartoon appeared in one of the newspapers.



*CCM Chairman, Dr. Jakaya Mrisho Kikwete, with the winner of the presidential nomination, Dr. John Pombe Magufuli, and his running mate, Hon. Samia Suluhu Hassan*

The nomination process in CCM produced mixed reactions. Out of 36 Central Committee members, three of them, Dr. Emmanuel Nchimbi, Adam Kimbisa and Sophia Simba, publicly expressed their dissatisfaction with the decision of the Central Committee to drop Mr. Edward Lowassa out of the race. This was the first time in the party's history for some CC members to challenge in public the decision of their Committee.



*Hon. Edward Lowassa after being dropped out of CCM's race for presidential nominee*

Reports of TEMCO observers showed that Mr. Lowassa had a significant number of supporters within and outside CCM as exemplified by demonstrations in protest against the decision to drop him out of the race. Despite the discontents, the nomination process went on as planned.



*Supporters of Mr. Edward Lowassa demonstrating in Dodoma after he was dropped out of the CCM nomination race*

Notwithstanding the concerns of Mr. Lowassa's supporters, he continued to participate in the nomination process until its conclusion. After two weeks, Lowassa decided to defect to CHADEMA, a move which indicated that he was not satisfied with CCM's nomination process.



*Hon. Edward Lowassa and his wife displaying party cards after being admitted into CHADEMA*

### ***5.3.3 Nomination of Presidential Candidates in CHADEMA***

As pointed out in chapter one, as Tanzania moved towards the 2015 election, UKAWA, a loose coalition of four political parties, namely CHADEMA, CUF, NCCR-Mageuzi and NLD had been formed. Under this arrangement, the coalition had a gentleman's agreement to nominate a single candidate for presidential, parliamentary and councillorship elections.

When the nomination process was still under way, Mr. Edward Lowassa crossed over to CHADEMA on 28th July, 2015. Lowassa claimed that the CCM presidential nomination process was marred with irregularities, contrary to the party nomination procedures.



*CHADEMA/UKAWA Presidential nominee and his running mate with top leaders of CHADEMA and CUF*

After joining CHADEMA, Lowassa picked nomination forms on 30th July, 2015 and returned them on 1st August 2015. On 4th August 2015, CHADEMA nominated Mr. Edward Lowassa as its presidential candidate and Mr. Juma Duni Haji as his running mate. Mr. Juma Duni Haji had crossed over to CHADEMA from CUF on 3rd August, 2015 ostensibly to satisfy the requirements of the law which stipulates that the presidential candidate and running mate must be sponsored by one party. TEMCO observation of the nomination process within CHADEMA which produced the UKAWA flag bearer reveals that the process was neither transparent nor competitive, hence failing to meet the test of democratic procedures.

As it was in CCM, the nomination of Mr. Edward Lowassa as the flag bearer of UKAWA in the presidential race produced mixed feelings. Some members supported the nomination, while others vehemently opposed it. On 6th August, 2015 the CUF national Chairman, Professor Ibrahim Lipumba, announced in Dar es Salaam at a press conference that he was stepping down from the position to become an ordinary member. He cited UKAWA's u-turn in welcoming defectors from CCM who had opposed the Draft Constitution, which was supported by CUF, a move that prompted the boycott of the Constituent Assembly by some opposition political parties, leading to the birth of UKAWA. Lipumba's departure from CUF leadership was also linked with his ambition for the presidential race.

In a similar move, on 1st September, 2015 Dr. Wilbrod Slaa, CHADEMA Secretary General, announced his decision not only to stand down as Secretary General but also to quit politics and the party altogether. Slaa's departure was triggered by the party's decision to nominate Lowassa, a person he had specifically dismissed as unfit for the office of President on the basis of corruption. Moreover, Slaa was sure that he was CHADEMA's choice for the presidential race, given the gains he had made in the 2010 elections.

### 5.3.4 Nominations in other Political Parties

Ten other political parties also nominated presidential candidates. These parties were: CCK (Christopher Malisa); UPDP (Fahmi Dovutwa); TLP (Macmillan Lyimo); ACT-Wazalendo (Anna Mghwira); ADC (Chief Lutalosa Yomba); DP (Rev. Christopher Mtikila); CHAUMMA (Hashim Spunda Rungwe); TADEA (John Chipaka); AFP (Omar Sombi); and NRA (Janken Malik Kasambala). Only two political parties, ACT-Wazalendo and TLP convened special national congresses to nominate a presidential candidate. Other political parties used different means to nominate their presidential candidates. Generally, the nomination process in these political parties was neither openly conducted nor competitive.

### 5.3.5 Parliamentary and Councillorship Nominations

TEMCO observation of the process of nomination of candidates for parliamentary and councillorship elections shows that only a handful of political parties had elaborate, open, competitive and democratic procedures for nomination. TEMCO restricted its observation on five major political parties, ACT-Wazalendo, CCM, CHADEMA, CUF and NCCR-Mageuzi. Other political parties were collectively covered. Members of the five political parties who decided to seek nominations for parliamentary, councillorship and women special seats are shown in Table 5.1.

Table 5.1: Number of Aspirants and Nominees for Parliamentary Seats

Political Party	Aspirants				Nominees			
	Male	Female	Total	% F	Male	Female	Total	% F
<b>ACT-Wazalendo</b>	189	19	208	9.1	109	10	119	8.4
<b>CCM</b>	1,071	97	1168	8.3	254	29	283	10.2
<b>CHADEMA</b>	475	75	550	13.6	148	14	162	8.6
<b>CUF</b>	182	20	202	9.9	57	8	65	12.3
<b>NCCR-Mageuzi</b>	20	5	25	20.0	16	5	21	23.8
<b>Total</b>	1,937	216	2,153	10.0	584	66	650	10.2

Source: TEMCO Observers' Field Reports

As shown in Table 5.1 political parties did not have the same number of aspirants and neither did they nominate a uniform number of candidates. TEMCO observers' reports show that some political parties did not nominate candidates in all constituencies. However, CCM had candidates in all constituencies, followed by CHADEMA. This has implication on the strength of the party and its capability to mobilise members to vie for electable leadership positions. The participation of women as candidates for constituency seats was not impressive, suggesting that efforts are needed to emancipate women to develop interest and desire to compete for leadership positions. Comparatively, CCM and CHADEMA attracted relatively good number of women aspirants, and CCM nominated more women than other political parties.

Regarding nominations for councillorship elections seats, the number of members of political parties who aspired to be nominated was impressive. However, the number of women aspirants was far below that of men. Only 10% of all aspirants were women, as shown in Table 5.2.

Table 5.2: Number of Aspirants and Nominees for Councillorship Election

Political Party	Aspirants				Nominees			
	Male	Female	Total	% F	Male	Female	Total	% F
<b>ACT-Wazalendo</b>	876	95	971	9.8	582	52	634	8.2
<b>CCM</b>	5,916	694	6,610	10.5	1,130	203	1,333	15.2
<b>CHADEMA</b>	2,952	293	3,245	9.0	1,456	134	1,590	8.4
<b>CUF</b>	896	126	1,022	12.3	568	153	721	21.2
<b>NCCR-Mageuzi</b>	154	12	166	7.2	97	8	105	7.6
<b>Total</b>	10,794	1,220	12,014	10.2	3,833	550	4,383	12.5

Source: TEMCO Observers' Field Reports

As observed in nominations for parliamentary candidates, CCM and CHADEMA attracted many aspirants and nominated more candidates than other political parties. In Total, UKAWA coalition parties had fewer aspirants for councillorship seats (4,433) than CCM which had 6,610 aspirants. In total, political parties in UKAWA coalition had more nominated aspirants (2,416) than CCM which had 1,333 nominated aspirants. In respect of nomination of women for special seats, CCM attracted more aspirants than the other four political parties. However, ACT-Wazalendo had a high proportion of nominated women (52.4%), followed by CHADEMA (48.3%), whereas NCCR-Mageuzi lagged behind both in attracting women aspirants (53) and in proportional terms (only 15%).

Table 5.3: Number of Aspirants and Nominees for Special Seats

Political Party	Aspirants	Nominees	% Nominated
<b>ACT-Wazalendo</b>	315	165	52.4
<b>CCM</b>	1,909	788	41.3
<b>CHADEMA</b>	1,306	631	48.3
<b>CUF</b>	380	174	45.8
<b>NCCR-Mageuzi</b>	53	8	15.1
<b>Total</b>	3,963	1,766	44.6

Source: TEMCO Observers' Field Reports

### 5.3.6 Chama cha Mapinduzi (CCM)

Nomination of candidates in CCM was carried out using the party's guidelines governing nomination of members vying for political leadership positions, popularly referred to in Kiswahili as *Kanuni za Uongozi na Maadili Toleo la Mwaka 2012*. Among other requirements, the guidelines spelt out the nomination procedures including preferential voting, screening of aspirants and selection before the names of successful aspirants are submitted to the next levels for further decision and endorsement.

Nomination of candidates for parliamentary elections attracted stiff competition. A total of 2,721 aspirants picked nomination forms to vie for parliamentary elections in 265 constituencies; out of these, 781 (28.7%) were women. The age profile of aspirant was: (i) 620

(22.8%) were 21-40 years old; 1,775 (65.2%) 41-60 year old; and (iii) 326 (12.0%) were 61 years and above.

Following conclusion of party primaries, in August 2015, the National Executive Committee (NEC) scrutinised and endorsed names of its candidates for the parliamentary elections. However, NEC ordered a re-run of the nomination process in some constituencies due to irregularities, including allegations of corruption, disregard of the nomination procedures and guidelines as well as stealing of votes. The nomination irregularities were confirmed in nine constituencies, namely Ukonga, Kilolo, Makete, Rufiji Namtumbo, Mbinga Rural, Kiteto, Singida East and Busega.

In some constituencies, the winners in preferential votes were dropped out by NEC and instead either the first or the second runners-up were endorsed as candidates. For instance, in Muhambwe Constituency Atashasta Ndite who came third with 1, 937 votes, was nominated instead of Jamal Tamimu who led by a big margin, scooping 9,592 votes and Emmanuel Gwegenyeza who obtained 2,910 votes. Similarly, in Pangani Constituency, Mboni Mhita, who came second, was endorsed instead of John Sallu who had won. In Busega, NEC ordered a re-run of preferential votes on allegations of vote stealing.

### ***5.3.7 Nomination of Councillors***

CCM prepared an election timetable showing various stages of the nominations process. Written instructions on processes and procedures to be followed by each aspirant were also issued. Candidates were required to meet four conditions to be nominated for councillorship elections: (i) payment of Tshs. 50,000 when returning the nomination forms; (ii) ability to cover all campaign expenses and costs; (iii) adherence to CCM ethics and guidelines governing elections; and (iv) being sponsored by party members. In addition, each aspirant was required to contribute financially towards facilitation of the preferential voting processes. The amount was determined by each district and was not uniform across the country. In Kibaha rural aspirants for councillorship paid Tshs. 300,000 as contribution for the costs of preferential voting.

Preferential voting was used in the process of screening candidates and as a basis for decision by higher organs of CCM. However, leading in preferential vote was not the only criterion for final endorsement. In Isanga and Malambo wards in Bariadi Constituency, CCM nominated candidates who came second in the preferential voting. Similarly in Busega CCM nominated the first runner-up in Malili Ward after the winner was disqualified on the grounds that he was still a civil servant in the Ministry of Livestock when he picked the nomination forms. In Mtwara Urban Constituency, the decision of CCM's Regional Political Committee to nominate second and third ranked candidates in preferential votes was overruled by the Central Committee of CCM after appeals, thereby reinstating those who had led in the preferential votes.

In some cases, aspirants who were not satisfied with the nominations process decided to defect to other political parties. In Morogoro Urban the incumbent councillor of Mzinga Ward crossed over to CUF, where he was nominated for Kiwanja cha Ndege Ward and eventually won the contest.

### **5.3.8 Civic United Front (CUF)**

CUF nominated its candidates for parliamentary and councillorship via a somewhat open, transparent and competitive procedure, especially in Zanzibar. The process of nomination of parliamentary candidates started by the announcement at the district level of dates of picking nomination forms. The names of aspirants were then scrutinised and only three were seconded to the National Council for further decision and approval. Thereafter, preferential voting was arranged and the results were sent to the National Council.

In Zanzibar, apart from using preferential voting, other procedures were used in screening the aspirants. The process started with submission of applications accompanied by CVs to headquarters. A team of experts was set to interview them and rank them. Three candidates were shortlisted and returned at the district level for preferential voting. For councillorship election, councillorship aspirants were required to pay a nomination fee of Tshs. 5,000.

### **5.3.9 CHADEMA**

CHADEMA prepared guidelines to be used for nomination of parliamentary and councillorship elections. Among others, CHADEMA officials were required to refrain from corrupt practices and any form of abuse of their authority during the nomination process of the 2015 election. Aspirants had to fulfil qualifications as stipulated in the relevant national electoral laws, as well as the party's criteria, namely (i) political leadership experience within the party; (ii) good relations with other party leaders; (iii) integrity in previous leadership posts in politics and in community; (iv) ability to execute responsibilities for the post being applied; (v) ability to integrate and collaborate with others in implementing respective responsibilities; (vi) knowledge of the party's objectives, ideology and philosophy; (vii) maintaining active membership in the party branch where the aspirant resides or comes from; and (viii) ability to read and write in Kiswahili or English.

CHADEMA organised its nomination process for parliamentary and councillors elections separately for constituencies which had no CHADEMA MPs and councillors and those that had CHADEMA incumbents. For the first category, nomination started in May, 2015 whereas for the latter nomination process commenced in July 2015. In many constituencies, CHADEMA used the preferential votes for parliamentary councillorship aspirants. The National Executive Committee endorsed the candidacy.

NEC did not entirely rely on the outcome of preferential votes in making a final decision. For instance, in Magu, a leading aspirant and winner of preferential vote, Dr. Msuka who had garnered 162 votes was dropped by NEC and replaced by the runner-up, Mr. Ngongoseke Julius Kalwinzi, who had garnered 84 votes. This followed Ngongoseke's appeal to the party's

NEC, alleging use of bribery by fellow contestants. Likewise, in Bunda Urban Constituency Pius Masumin led other five candidates by collecting 65 votes but the CHADEMA regional chairperson endorsed Ms. Ester Bulaya who had received 37 votes to be the party's parliamentary candidate.

Cases of defection to other political parties protesting against the nomination process were noted. In Nanyumbu Constituency Hassan Majaribu defected to CUF. He alleged that he had been promised that he would be the only candidate only to realise that several other aspirants had picked nomination forms. He was nominated by CUF.

### ***5.3.10 Councillorship Nominations***

Generally, the councillorship nominations within the party had no major problems. The party's nominations procedures were properly followed except in a few cases of contestation. In Songea Urban Constituency, CHADEMA nullified preferential results of Matelea and Msamala Wards following allegations of corrupt practices and suspicion that those who had led in preferential votes could sabotage the party as they had been "implanted" by CCM. The CHADEMA District Secretary General for Songea Urban claimed that those who won had been financed by CCM, and were planning to withdraw from the race. In Morogoro Region in Boma Ward, a CHADEMA member who was not nominated by the party crossed over to ACT-Wazalendo and was nominated.

### ***5.3.11 Defacto Coalition of Four Political Parties***

On 26th October 2014, four opposition parties, CHADEMA, CUF, NCCR-Mageuzi and NLD, agreed to field a single candidate in the presidential, parliamentary, HoR and councillorship elections. This was a new innovation in Tanzania electoral politics where at the moment the law does not allow for establishment of coalitions and alliances for the purposes of winning elections.

The criteria used in allocation of constituencies to be contested by UKAWA parties included: (i) number of councillorship seats in a constituency; (ii) parties' political base in the respective areas; (iii) socio-political culture and tradition pertaining in an area; and, (iv) quality of an aspirant.

Based on the agreement, each UKAWA coalition member was allocated a number of constituencies for parliamentary and councillorship elections. Out of 264 constituencies, CHADEMA was allocated 138 (54.3%); CUF allocated 99 (39.0%); NCCR-Mageuzi was allocated 14 (5.5%); and NLD was allocated three (1.2%).

Notwithstanding the defacto agreement to nominate a candidate in parliamentary election, in 23 constituencies, the agreement was not honoured, as shown in

Table 5.4.

*Table 5.4: Constituencies where UKAWA Agreement was not Honoured*

<b>S/No.</b>	<b>Constituency</b>	<b>Parties</b>
1	Biharamulo West	CUF and CHADEMA
2	Bukoba Rural	CUF and CHADEMA
3	Constituency	Ukawa Coalition parteis with candidates
4	Geita	CUF and CHADEMA
5	Geita Urban	CHADEMA and CUF
6	Handeni Rural	CUF and CHADEMA
7	Itilima	CUF and CHADEMA
8	Kibaha Rural	CUF and CHADEMA
9	Kilosa Kati	CUF and CHADEMA
10	Korogwe Rural	CUF and CHADEMA
11	Korogwe Urban	CUF, CHADEMA and NCCR-Mageuzi
12	Kwimba	CUF and CHADEMA
13	Magu	CUF and CHADEMA
14	Mkinga	CUF and CHADEMA
15	Mtama	CUF and CHADEMA
16	Muleba South	CHADEMA and NCCR-Mageuzi
17	Mwanga	CHADEMA and NCCR-Mageuzi
18	Ngara	CHADEMA and NCCR-Mageuzi
19	Nkenge	CUF and CHADEMA
20	Nyamagana	CUF and CHADEMA
21	Nzega Rural	CUF and CHADEMA
22	Segerea	CUF and CHADEMA
23	Singida West	CUF and CHADEMA
24	Solwa	CUF and CHADEMA
25	Ubungo	CUF and CHADEMA
26	Ukonga	CUF and CHADEMA

Source: TEMCO Field Observers' Reports, 2015

The failure to honour the agreement by some of UKAWA coalition members was a blessing to CCM at least in Segerea and Mwanga constituencies. In Segerea, if the agreement was honoured, Julius Mtatiro of CUF stood a big chance of winning the parliamentary election since he had garnered 75,744 votes against Bonna Kalua of CCM 94,640 votes and CHADEMA's Anatropi who had garnered 48,623 votes. Clearly, Mtatiro (CUF) would have obtained 124,367 votes. On the other hand, there would have been a rerun poll in Mwanga since CHADEMA's Kileo obtained 17,366 votes and Msuya of NCCR-Mageuzi obtained 4,616, making a total of 21,982 against Jumanne Maghembe of CCM who obtained the same number of votes.

### ***5.3.12 Councillorship and Parliamentary Nominations by Other Political Parties***

Other parties, including new participants in the general election, like ADC and ACT-Wazalendo, largely hand-picked their candidates to contest in the 2015 election. In TLP, DP, CUF, and ACT-Wazalendo aspirants either "volunteered" or simply applied for nominations.

### ***5.3.13 Complaints on Nominations***

There were a myriad of complaints in respect of intraparty nominations for the 2015 election. TEMCO's findings in 150 constituencies reveal that, in total, 73 constituencies registered complaints against parliamentary nominations in four political parties: (i) CCM (46); (ii) CHADEMA (19); (iii) CUF (4); and ACT-Wazalendo (4) as shown in Table 5.5.

*Table 5.5: Complaints Regarding Parliamentary Intraparty Nominations*

Political party	Frequency (%)		
	Yes	No	No response
ACT-Wazalendo	4 (2.7)	111 (74.0)	35 (23.3)
CCM	46 (30.7)	88 (58.7)	16 (10.7)
CHADEMA	19 (12.7)	97 (64.7)	34 (22.7)
CUF	4 (2.7)	80 (53.3)	66 (44)

Source: TEMCO Observers' Field Reports, 2015

As shown in Table 5.6, CCM had the biggest share of complaints followed by CHADEMA, which positively correlates with the relative strength of the parties.

*Table 5.6: Complaints Regarding Parliamentary Intraparty Nominations*

Political party	Frequency (%)		
	Yes	No	No response
ACT-Wazalendo	4 (2.7)	105 (70)	41 (27.3)
CCM	44 (29.3)	90 (60)	16 (10.7)
CHADEMA	27 (18)	89 (59.3)	34 (22.7)
CUF	7 (4.7)	70 (46.7)	73 (48.7)

Source: TEMCO Observers' Field Reports

In councillorship intra-party nomination processes, also CCM had a big share of complaints followed by CHADEMA. This trend attests the claim that the bigger the party the more the complaints. TEMCO observations regarding complaints against intraparty nominations in 150 constituencies are summarised in Table 5.7.

*Table 5.7: Complaints against Intra-party Nominations*

Political party	Parliamentary (%)			Councillorship (%)			Special Seats (%)		
	Yes	No	No response	Yes	No	No response	Yes	No	No response
<b>ACT-Wazalendo</b>	4 (2.7)	111 (74)	35 (23)	4 (2.7)	105 (70)	41 (27.3)	5 (3.3)	103 (68.7)	42 (28.0)
<b>CCM</b>	46 (30.7)	88 (58.7)	16 (10.7)	44 (29.3)	90 (60)	16 (10.7)	23 (15.3)	108 (72)	19 (12.7)
<b>CHADEMA</b>	19 (12.7)	97 (64.7)	34 (22.7)	27 (18)	89 (59.3)	34 (22.7)	10 (6.7)	103 (68.7)	37 (24.7)
<b>CUF</b>	4 (2.7)	80 (53.3)	66 (44)	7 (4.7)	70 (46.7)	73 (48.7)	1 (0.7)	78 (52.0)	71 (43.7)

Source: TEMCO Observers' Field Reports, 2015

#### 5.4 Inter-Party Defections

One of the noticeable features of the 2015 general elections was inter-party defections of prominent members, candidates and even party officials. There were two main types of inter-party defections, namely defections prior to intra-party nominations and defections after party primaries had been held. There were few defections before intra-party nominations. In Kahama, the incumbent and outspoken legislator, James Lembeli and colleagues Zakaria Soko and Bobson Shaban Wambura defected to CHADEMA and ACT-Wazalendo, respectively, a few weeks before CCM's nomination kicked off. Likewise, in Shinyanga Urban Constituency, Mr. Kaheza Shilungushera, formerly a member of CHADEMA, defected to ACT-Wazalendo. Many defections were observed after the intra-party nominations. The findings by TEMCO Long Term Observers point to a number of factors that triggered defections as shown in Table 5.8.

*Table 5.8: Triggers for Defections*

<b>SN</b>	<b>Factors</b>	<b>Yes</b>	<b>No</b>	<b>Missing</b>
<b>1</b>	Lack of internal party democracy	67 (44.7%)	27 (18%)	56 (37.3%)
<b>2</b>	Intraparty rivalries and conflicts	52 (34.7%)	35 (23.3%)	63 (42.0%)
<b>3</b>	Disillusion about one's own chance for re-election	35 (23.3%)	44 (29.3%)	71 (47.3%)
<b>4</b>	Uncomfortable with UKAWA coalition agreement	19 (12.7%)	53 (35.3%)	78 (52.0%)
<b>5</b>	Influence of powerful politicians who defected	34 (22.7%)	41 (27.3%)	75 (50.0%)
<b>6</b>	Fundamental ideological differences	15 (10.0%)	55 (36.7%)	80 (53.3%)
<b>7</b>	Other factors	10 (6.7%)	41 (27.3%)	98 (65.3%)

Source: TEMCO Observers' Field Reports, 2015

As shown in Table 5.8 there is no single factor which can sufficiently explain the reasons for defection. However, lack of internal democracy as well as internal conflicts appear to be the most prominent factors. Moreover, the findings show that inter-party defections were not significantly caused by ideological considerations.

Following the conclusion of party nomination processes in the four major political parties, some aspirants especially those who lost, defected to other parties. Movements of defectors were not in one direction. There were movements of different forms: (i) from the ruling party to the opposition; (ii) from the opposition to the ruling party; (iii) from the ruling party-to-opposition-to-ruling party; and (iv) from the opposition-to-opposition.

In Vwawa Constituency, for example, ACT-Wazalendo was the main recipient of defectors from CCM and CHADEMA. In Mbozi District there were several defections from CHADEMA to ACT-Wazalendo. The CHADEMA secretary for Mbozi District, Mr. Michael Mwamlima, affirmed that most significant defections occurred at the ward level.

The findings of TEMCO election observation mission revealed that nomination of candidates within many political parties fell short of democratic practices. Four major models of nominating candidates were employed: (i) handpicking model, (ii) application model, (iii) wait-for-defectors model, (iii) semi democratic and semi participatory model, and (iv) democratic-cum-participatory model. The handpicking model entailed leaders of political parties unilaterally appointing candidates of their own choice. This model was used by ‘small’ parties, especially those with no seats in parliament and local government councils, only with offices in Dar es Salaam and in very few regions.

The application model was a new innovation whereby some parties especially the small ones invited interested individuals to stand for the party in various electoral positions at constituency and ward levels. Wait-for-defectors model was used by some political parties to create space for potential leaders who had failed to get nominations in their political parties. This was used by parties in the UKAWA coalition which in a way undermined the major pillars of a democratic nomination process. The semi-participatory model had elements of participation although leaders of political parties had the final decision. The democratic model was largely used by the ruling party and CUF especially in Zanzibar whereby interested members were invited to express their intention to seek the party’s nomination to vie for positions at different levels including the presidency. Selection was carried out on merit and through voting depending on the selection criteria set by the party.

Some political parties resorted to undemocratic nomination procedures partly because Tanzania’s political party legislation does not provide for parties to create coalitions and alliances for electoral purposes.

Overall, TEMCO’s observation reveals that after 23 years of existence, political parties in Tanzania have not transformed themselves into democratic institutions and have not performed well in one of their cardinal functions related to nurturing and grooming leaders. Moreover, their pace towards building and consolidating internal democracy is relatively slow.

TEMCO observation in 150 constituencies shows that the democratic-cum-participatory model was mostly used by CCM in 133 constituencies (88.7%), followed by CHADEMA in 88 constituencies (39.3%) and ACT-Wazalendo in 48 constituencies (32%). Broadly, the findings reveal two major models that were predominantly used by political parties in the nomination of their candidates, as shown in Table 5.9.

Table 5.9: Major Nomination Models

Political Party	Nomination Model					
	Democratic			Hand-picking		
	Yes	No	Missing	Yes	No	Missing
<b>ACT-Wazalendo</b>	48 (32%)	72 (48%)	30 (20.0%)	58 (38.7%)	61 (40.7%)	31 (20.7%)
<b>CCM</b>	133 (88.7%)	12 (8.0%)	5 (3.3%)	-	-	-
<b>CHADEMA</b>	88 (58.7%)	33 (22.0%)	29 (19.3%)	18 (12%)	99 (66%)	33 (22%)
<b>CUF</b>	59 (39.3%)	36 (24.0%)	55 (36.7%)	14 (9.3%)	79 (52.7%)	57 (38.0%)

Source: TEMCO Observers' Field Reports, 2015

The dominance of the democratic-cum-participatory and hand-picking models was also reflected in the nomination of women for special seats within political parties, as shown in Table 5.10.

Table 5.10: Nomination of Women to Special Seats

Political party	Democratic model (%)			Hand-picking model (%)		
	Yes	No	Missing	Yes	No	Missing
<b>ACT-Wazalendo</b>	31 (20.7)	61 (40.7)	58 (38.7)	43 (28.7)	47 (31.3)	60 (40.0)
<b>CCM</b>	124 (82.7)	17 (11.3)	9 (6.0)	0	0	0
<b>CHADEMA</b>	90 (60.0)	31 (20.7)	29 (19.3)	13 (8.7)	100 (66.7)	37 (24.7)
<b>CUF</b>	49 (32.7)	40 (26.7)	61 (40.7)	18 (12.0)	65 (43.3)	67 (44.7)

Source: TEMCO Observers' Field Reports, 2015

## 5.5 Nominations by NEC

Thirteen political parties picked nomination forms for their presidential aspirants from NEC. NEC set 21 days for picking and returning such presidential nomination forms (i.e. from 1 to 21 August, 2015). Presidential aspirants had to fulfil a number of requirements as per electoral laws, including securing a minimum of 200 endorsements by registered voters in ten regions, two of them from Tanzania Zanzibar; paying a deposit of one million shillings and presenting a statutory declaration. Nine out of 13 political parties returned their nomination forms within the prescribed time: ACT-Wazalendo, ADA-TADEA, ADC, CHADEMA, CHAUMMA, CCM, NRA, TLP and UPDP.

CHAUSTA and DP did not return nomination forms. CCK and ADA-TADEA returned their forms but failed to fulfil all requirements. CCK's form No. 8 did not indicate the list of sponsors as required by the law. On its part, ADA-TADEA's presidential running mate had not taken oath. In one bizarre situation the UPDP presidential aspirant, Fahmy Dovutwa, was stuck in the elevator for ten minutes after collecting presidential nomination forms from NEC offices in Dar es Salaam. He blamed the ruling party, alleging that "the incident was not accidental but

a planned deal by CCM". The names of candidates who qualified to stand for their political parties in the 2015 presidential race and their running mates are shown in Table 5.11.

*Table 5.11: List of Union Presidential Candidates and Running Mates*

S/N	Political Party	Presidential Candidate	Running Mate
1.	ACT- Wazalendo	Anna Elisha Mghwira	Hamad Mussa Yussuf
2.	ADC	Chief Lutalosa Yomba	Said Miraji Abdallah
3.	CCM	John Pombe Magufuli	Samia Suluhu Hassan
4.	CHADEMA	Edward Ngoyai Lowassa	Juma Duni Haji
5.	CHAUMMA	Hashim Rungwe Spunda	Issa Abas Hussein
6.	NRA	Janken Malik Kasambala	Simai Abdulrah Abdulla
7.	TLP	Macmillan Elifalio Lyimo	Hussein Juma Salim
8.	UPDP	Fahmi Nassoro Dovutwa	Hamadi Mohammed Ibrahimu

A total of 1,218 aspirants were nominated by NEC to stand as candidates for parliamentary elections, out of whom 233 (19.1%) were female and 985 (80.9%) were male. Moreover, NEC nominated 10,879 political parties' nominees to stand as candidates in councillorship elections, out of whom 679 (6.3%) were female and 10,191 (93.7%) were male. The representation of women in parliamentary and councillorship elections was not impressive, suggesting that Tanzania still has a long way to go towards gender equality.

### **5.6 Handling of Objections and Appeals**

NEC received a total of 56 appeals from parliamentary election candidates who had been disqualified by their respective Returning Officers on various grounds. The Commission determined the appeals and subsequently reinstated 14 parliamentary candidates. The decisions of ROs on 40 appeals were sustained. Moreover, NEC received a total of 223 appeals from councillorship contestants who had been disqualified by ROSs, out of whom 50 candidates were reinstated and 173 were disqualified.

### **5.7 Unopposed Candidature Phenomenon**

Cases of unopposed candidature in parliamentary elections were scanty. In Nanyamba Constituency in Mtwara Region, Abdallah Daudi Chikota of CCM was the only unopposed candidate. A little bit of drama surrounded lack of an opponent for the CCM's candidate in this constituency. TEMCO LTO in Mtwara reported the incidents:

Circumstances leading to his (Chikota's) lack of opponent are a fairy tale. According to reports from authoritative sources in the region, including of course the electoral official, a CUF candidate who had filled the nomination forms could not appear to submit the forms to the Returning Officer on the last day of submission. Efforts by CUF leaders and supporters in the constituency to locate the candidate so that he could submit the nomination forms failed...A group of people, purportedly CUF supporters, invaded the house of the parliamentary aspirant and set it ablaze when they could not find him.

In 150 constituencies, in which TEMCO had LTOs, only 10 wards had unopposed candidates. The wards were: Kihungu, Kitanda Mbinga Mhalule, Peramiho in Mbinga District; Endonyong, Langa, and Terati in Manyara; Mkalama and Madege in Morogoro; Mmale in Igalula Constituency; and Zuzu in Dodoma Urban.

### 5.8 Overall Assessment of the Nomination Process

The overall assessment of the nomination process in 150 constituencies that TEMCO observed is shown in Table 5.12.

Table 5.12: Assessment of the Nomination Process

Nature and character of nominations	Marks and Grades	Frequency	Percentage
The nominations had very few irregularities which did not at all affect the overall results of the elections. Overall, the nominations were clean, free and fair.	A (80 – 100%)	61	40.7
The nominations were generally free and fair but still had a few irregularities which in their totality did not affect in any meaningful way the final outcomes of the election and did not work against the fortunes of stakeholders (political parties, candidates and voters).	B (60-69%)	68	45.3
The nomination process permitted free participation of stakeholders (political parties, candidates and voters), but there were many instances of breach of nomination rules and regulations, with impunity and there was favouritism that worked against fortunes of some candidates.	C (50-59%)	16	10.7
Nominations were marred by numerous flaws related to non-compliance of some nominations rules, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40-49%)	5	3.3
Nominations were disrupted or mismanaged to the extent that stakeholders could not accept the nominees.	E (1-39%)	0	0.0
The conduct of intra-party nominations was marred by severe irregularities. There was so much favouritism, foul-play and corruption to the extent that some candidates decided to withdraw from the preferential voting process or took legal or lodged formal complaints. Nominations were an aborted process.	F (0%)	0	0.0
Total		150	100

Source: TEMCO Observers' Field Report, 2015

## **5.9 Conclusion and Recommendations**

This section concludes the chapter on nomination of candidates, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### **5.9.1 Conclusion**

TEMCO findings in respect of the nomination processes for the 2015 election show that the nominations were generally free and fair but still had a few irregularities. The big political parties, especially CCM and CHADEMA, generally had elaborate nomination procedures which, to a large extent, met the basic requirements of democratic nominations in election processes. However, the manner in which CHADEMA and other UKAWA coalition members nominated their presidential candidate leaves a lot to be desired. It failed the test of conventional democratic practices. Most of the small political parties did not use the democratic-cum-participatory model in nominating candidates.

Generally, NEC handled the nomination process and appeals in accordance with the provisions of the law. The right to appeal to NEC was granted to aggrieved candidates by ROs. TEMCO observers noted that NEC did not entertain appeals based on minor human errors. After decisions on appeals made by NEC, TEMCO observers did not record incidents of dissatisfaction by the appellants. Compared to previous general elections, the unopposed candidature phenomenon did not predominantly feature in the 2015 election. This was a positive development in ensuring that the civil and political rights are respected and effectively protected in Tanzania as well enhanced competitiveness, excitement and anxiety.

### **5.9.2 Recommendations**

On the basis of observations made on the nomination process for the 2015 election, the following recommendations are made:

- (i) Political parties should take measures to build and strengthen internal democratic practices that pave the way for competitive, transparent and open nomination processes for the presidential, parliamentary and councillorship elections.
- (ii) The government is advised to consider reviewing electoral legislation to allow political parties to establish coalitions and alliances for election purposes, to allow them to nominate candidates who can stand for the coalition in presidential, parliamentary and councillorship elections.
- (iii) The political party legislation should be amended to set the minimum democratic procedures that a party should adhere to during the nomination process.
- (iv) Political parties should be legally bound to actively participate in elections by nominating candidates to vie for electable positions at all levels.
- (v) The best practices that NEC adopted in handling the nomination appeals and petitions need to be nurtured and sustained.

## **CHAPTER 6**

### **ELECTION CAMPAIGNS**

#### **6.1 Introduction**

Election campaigns are a necessary component of democratic electoral processes as they offer candidates and political parties an opportunity to reach out to the electorate to explain their manifesto and canvass the votes. This chapter analyses the conduct of election campaigns for the 2015 election and is divided into ten sections beginning with this introduction. Section two addresses the legal and institutional frameworks for election campaigns. Section three deals with campaign financing, while section four discusses campaign regulations and code of conduct. Campaign modalities and strategies are considered in section five. Election manifesto and voter education are dealt with in sections six and seven, respectively. Section eight and nine focus on security arrangement in campaign rallies and overall assessment of the conduct of election campaigns, respectively. The conclusion and recommendations are provided as the last section – section ten.

#### **6.2 Legal and Institutional Frameworks for Campaigns**

Election campaigns are guided by three main statutory instruments and one subsidiary instrument. These statutory instruments are the National Election Act CAP 343, Section 124 (to be used as Elections Act); the National Election Regulations, 2015 (to be used as the Regulations); and Election Expenses Act, 2010 (to be used as Election Expenses Act). The subsidiary instrument is the Electoral Code of Conduct, 2015 (to be used as Code of Conduct for 2015 Election). This code of conduct for 2015 election is made under section 124A of the National Elections Act, 1985.

The prime purpose of the pieces of legislation is to regulate the conduct of election campaigns in order to pave the way for credible, free and fair elections. For example, while Section 51(1) of the Elections Act provides for equal opportunity for candidates and/or political parties (or agents) to conduct campaigns, Section 21(1) of the Election Expenses Act prohibits unfair conduct such as unconscionable funding (corruption, gift giving, promises, etc). However, there are loopholes for corrupt individuals to manoeuvre. Section 21(2) states that “where it is alleged that the act constituting prohibited practice was committed by an agent or any other person on behalf of the candidate, it shall be a defense for the candidate if he/she proves that it was committed without his/her knowledge, consent, or approval or that of his/her agent.” TEMCO’s observation showed that candidates used several excuses to claim they were not aware of what had transpired during election campaigns.

The implementation of election laws becomes effective once involving a number of institutions stipulated in the principle legislations. These institutions include: (i) Election Management Bodies (EMB), (ii) Political Parties, and (iii) the Police. The conduct of 2015 election campaigns was generally considered effective and peaceful. There were 22 political parties participating in the 2015 general elections, but only six political parties conducted political campaign rallies. However, elaborate, flamboyant and most effectively organised campaigns were those of CCM and CHADEMA particularly for presidential elections.

### 6.3 Campaign Financing

Election financing is guided by the Election Expenses Act. Section 7(1) defines election expenses as all funds expended or expenses incurred in respect of the conduct and management of the nomination process, election campaign, and election by a political party, candidate or government, and include in relation to campaigns, all expenses or expenditure incurred for the purpose of election campaigns. The enforcement of the Election Expenses Act is problematic. Five critical factors militated against enforcement of the EEA: (i) sources of funds for campaigns; (ii) expenditure limits; (iii) disclosure of funds; (iv) means of accountability; and (v) prohibited practices.

The primary source is clearly stated by the Election Expenses Act. Section 8(1) of the Act states: “each political party to conduct and fund its election campaign by utilising its own funds from sources stipulated under the Political Parties Act.” Sources of funds stipulated under Section 13(1) of the Political Parties Act include membership fees, voluntary contributions, the proceeds of any investment, project or undertaking in which the party has an interest, subvention from the government, donations, bequests and grants from any other source. In addition, Section 8(2) of the Election Expenses Act provides a secondary source of funds for election campaign. It states that, “subject to limitations provided for under this Act, a candidate may use his/her own funds during election campaigns as may be necessary or required for purpose of the election campaigns.” Based on Section 8(1&2), political parties received “money” as well as “goods” in form of assistance for candidates as reported by LTOs.

As required by law, on 18th August 2015, the Prime Minister of the United Republic of Tanzania, Mizengo Pinda published an order in the Government Gazette prescribing the amount of election expenses based on the criteria set by the Act. He prescribed Tshs. 17 billion as the maximum amount a political party could spend during the 2015 election campaigns. The maximum amount to be incurred by candidates is shown in Table 6.1.

*Table 6.1: Maximum Expenditure for Candidates*

Candidate	Criteria	Cluster	Max. Amount (Tshs)	
Presidential	Category of candidate	NIL	6 billion	
Councillorship		A. Urban	8 million	
Parliamentary		B. Rural	6 million	
		Geography	A. 60 constituencies ranging from Ilala in Dar to Kiwami in Pemba	33 million
			B. 53 Constituencies ranging from Chilonwa in Dodoma to Ikungi in Singida region	44 million
		Population	C. 69 Constituencies ranging from Mtera straddling in Dodoma to Singida East Constituencies	55 million
			Communication Infrastructure	D. 43 Constituencies ranging from Bahi in Dodoma to Madaba Constituency in Ruvuma region
		E. 29 constituencies ranging from Dodoma urban constituency to Mtwara rural in Mtwara region		77 million
F. 12 Constituencies ranging from Igunga to Mlimba in Mororogo region	88 million			

Source: Government Gazette Notice No. 325, 18th August 2015

The enforcement of the government directive on election expenses was not an easy task. Out of 150 TEMCO LTOs, 117 LTOs (78%) noted that it was extremely difficult for candidates and parties to disclose the amount of money they had spent in election campaigns.

#### **6.4 Campaign Regulations and Code of Conduct**

The law requires political parties to conduct decent campaigns. It spells out clearly the “dos” and “don’ts” during campaigns. Out of 150 LTOs deployed in constituencies, 27 (18%) observed incidents of violence, intimidation and incitements during the campaigns. Of all violent incidents, CCM and its candidates were associated with eight, equivalent to 5.3%; CHADEMA six (4%); and other parties had only one incident, equivalent to 0.7%. TEMCO reports show the level of non-compliance to campaign regulations and code of conduct by big political parties. Moreover, TEMCO observer’s recorded 67 cases (44.7%) related to complaints reported by candidates and political parties to electoral authorities regarding electoral irregularities and shortcomings.

To a noticeable extent, political parties and candidates contravened the Code of Conduct. Although the electoral authority had imposed a ban in the use of security groups by political parties it seemed this directive was not observed. Incidents related to destruction of campaign materials in connection with CCM and CHADEMA rallies were as follows: (i) CCM (48.7%) and CHADEMA (35.3%). Use of ethnicity in connection with CCM rallies was also noted by 38 observers (25.3%).

Use of ethnicity in relation to tribal dominance in the constituency was noted by 31 observers (20.7%). There were reported incidents of deliberate distortion of information and lies in connection with campaigns organised by some political parties: (i) CCM in 30 constituencies (20%); (ii) CHADEMA in 25 (16.7%); (iii) CUF in 8 (5.3%). Incidents of destruction of campaign materials were also reported at political party rallies: (i) CCM in 73 (48.7%); CHADEMA in 53 (35.3%); and CUF in 22 (14.7%).



*CCM’s presidential candidate Dr. John Pombe Magufuli addressing a political rally*

In previous elections, the party in power was accused of using state resources during campaigns. In respect to the 2015 general election, 46 cases (30.7%) of incidents in which CCM had used state resources at its campaign rallies were reported by TEMCO observers; whereas 23 observers (15.3%) reported complaints from the electorate regarding state functionaries campaigning for the ruling party at rallies. This behaviour does not augur well with the need for a level playing field during the election campaigns for all political parties. In 27 constituencies (18%) TEMCO observed the display and use of symbols which carried instigative, abusive and provocative messages humiliating rival political parties or their leaders.



*CHADEMA's presidential candidate Mr. Edward Lowassa addressing a political rally*

In the course of election campaigns, NEC issued several warnings to political parties and candidates over a series of misconduct during campaign meetings. On 9th September, 2015, NEC issued a statement to remind political party leaders and candidates to observe the Code of Conduct following breach of the Code of Conduct by CHADEMA presidential candidate and CHADEMA leaders including its Chairman Mr. Freeman Mbowe. For example, Mr. Edward Lowassa while in Tabora solicited votes on religious grounds. On another occasion, Mr. Edward Lowassa and CHADEMA leaders issued contentious statements about vote rigging. On 17th October 2015, NEC issued a formal warning to Mr. Duni Haji, CHADEMA presidential running mate alleging in a rally at Furahisha, Mwanza, that NEC had established new 20,000 polling stations (NEC, 2015).

#### **6.4.1 Negative Campaign**

The Code of Conduct prohibits negative campaign in its varied forms; however, TEMCO noted the use of negative campaign by CCM and CHADEMA in 2015 general elections. Table 6.2 summarises selected cases of negative campaign.

Table 6.2: Negative Campaigning through Words

Political party	Location	LTO's report on negative Campaign
CCM	Arumeru East, Mbagala, Morogoro Urban, Mtama, Hai, Moshi Urban	Lowassa is paralysed and can die any time and the State House is not a mortuary to keep dead people
CCM	Mbagala, Geita	Lowassa is very sick to the point of wearing diapers
ACT-Wazalendo	Tunduma	CHADEMA symbols were used by the killer regimes in history
CCM	Tunduma, Kibamba	Lowassa is corrupt, sick, and cannot speak for long during campaigns
CUF	Mbagala	BOT has printed fake notes during election campaigns to support CCM members, after elections the notes will disappear
CUF	Mbagala	Magufuli hata uwe mgoni vipi huwezi kumtongoza mkweo Kikwete
CHADEMA	Ilemela	"..don't elect Angelina Mabula .... she is not married, she has failed to live with a husband, how can she handle the constituency?"
CCM	Rombo	CHADEMA candidate is a witch and he killed her mother so that he could become a Member of Parliament.
NCCR- Mageuzi and CHADEMA	Vunjo	Bora UKIMWI kuliko CCM, Bora EBOLA kuliko Magufuli

Source: TEMCO LTO Field Reports, 2015



Illustrations related to negative campaigns

In Serengeti, the TEMCO election observer noted that one of the most repeatedly negative campaigns by CCM was character assassination of UKAWA's presidential candidate. CCM damagingly changed UKAWA's greeting from "Power!" to "Pampers!", instructing their members to respond "Pampers!" The word "pampers" was used disparagingly to symbolise diapers used for sanitary reasons by children or sick persons. In Bunda Urban Constituency,

CHADEMA's parliamentary candidate, Easter Bulaya, warned residents that the CCM candidate, Mr. Steven Wassira, "is too old and therefore people should not vote for him because he will end up sleeping in parliament". In retaliation, Mr. Wassira responded by telling people that they should not vote Bulaya because she is a "prostitute, married to another woman" (nyumba ntobhu) and she stays in a guest house.

Such incidents of negative campaigns did not sit well with the expected standards of a credible, peaceful, free and fair campaign. It is also disheartening to note that election management bodies did not do much to deter negative campaigns.

## 6.5 Campaign Modalities and Strategies

Election campaigns in Tanzania are generally coordinated by NEC. In ensuring smooth running of election campaigns, NEC in consultation with other election stakeholders prepared a campaign timetable for presidential, parliamentary and councillorship elections. NEC also set the timeframe in which political parties rallies could be held.

Campaigns for 2015 general elections were officially launched in August, with only five political parties holding formal inauguration of the campaigns. CCM launched its presidential campaign on 24th August 2015 at Jangwani grounds, in Dar es Salaam; CHADEMA did so on 29th August 2015 also at Jangwani grounds in Dar es Salaam; ACT-Wazalendo on 30th August 2015 at Zakhem grounds in Dar es Salaam; ADC on 8th September 2015 in Pemba and Zanzibar; CUF on 9th September 2015 at Kibanda Maiti, Zanzibar; and TLP on 13th September 2015 at Mwembeyanga, Dar es Salaam.



*ACT-Wazalendo Presidential candidate Anna Mghwira at a campaign rally*

Campaign teams were formed by political parties in accordance with Section 7 of the Election Expenses Act. CCM campaign team constituted 32 members while CHADEMA campaign team had eight members (The Citizen, 19th August and 3rd September 2015). The most widely used campaign modalities and strategies in 2015 general elections included: (i) public rallies, (ii) house to house canvassing, (iii) mobile campaigns, (iv) modern technologies of communication, (v) media debates and advertising, and strategies such as use of performing

arts groups and conveyance of potential voters. Public rallies with public address systems were widely used by CCM, CHADEMA, ACT Wazalendo, and CUF. Table 6.3 shows campaign strategies used by different political parties.

*Table 6.3: Campaign Strategies by Political Parties*

S/No.	Strategy	Political parties (%)					
		CCM	CHADEMA	ACT-W	CUF	NCCR-M	Others
1.	Public rallies with PA system	147 (98)	127 (84.7)	98 (65.3)	81 (54)	23 (15.3)	44 (29.3)
2.	Promotional arts groups	134 (89.3)	79 (52.7)	33 (22%)	44 (29.3)	12 (8%)	16 (10.7)
3.	Door to door canvassing	110 (73.3)	89 (59.3)	79 (52.7)	64 (42.7)	26 (17.3)	62 (41.3)
4.	Social media platforms	81 (54%)	59 (39.3)	28 (18.7)	29 (19.3)	5 (3.3)	10 (6.7)
5.	Text messaging	63 (42)	44 (29.3)	21 (14.0)	19 (12.7)	9 (6%)	14 (9.3)
6.	Targeted groups in strategic locations	83 (55.3)	79 (52.7)	62 (41.3)	39 (26.3)	11 (7.3)	33 (22)

Source: TEMCO Observers' Field Reports

As shown in Table 6.3, public rallies were the most widely used campaign strategy by the two large political parties, CCM (98%) and CHADEMA (85%). It is also clear that CCM used the six modalities more effectively than any other political party. TEMCO observation reveals a positive correlation between efficiency in application of different campaign strategies and performance in elections.



*CHAUMMA Presidential candidate Hashim Rungwe Spunda at a campaign rally.*

### 6.5.1 Means of Transport

TEMCO observers' reports show six main means of transport used by political parties and candidates during the campaign meetings: buses, aircraft/helicopters, vehicles, motorcycles/tricycles, bicycles. Many people also went on foot to such campaigns, as shown in Table 6.4.

*Table 6.4: Means of Transport to Campaign Meetings*

S/No.	Means of transport	Political parties (%)			
		CCM	CHADEMA	ACT-W	CUF
1	Busing or ferrying people	109 (72.7)	32 (21.4)	N.A	24 (16)
2	Aircraft/helicopters	49 (32.7)	53 (35.3)	N.A	1 (0.7)
3	Vehicles	140 (93.3)	112 (74.7)	69 (46.0)	69 (46)
4	Motorcycles/Tricycles	87 (58)	81 (54)	43 (23.7)	48 (32)
5	Bicycles	53 (35.3)	44 (29.3)	28 (18.7)	35 (23.3)
6	On foot	58 (38.7)	47 (31.3)	32 (21.3)	38 (25.3)

Source: TEMCO Observers' Field Reports

As shown in Table 6.4, many political parties used busing and ferrying as a major means of transport during election campaigns. While CHADEMA used aircraft/helicopters more frequently (35.3%), CCM used this means by 32.7%. CCM and CHADEMA were the most organised, and employed different means of transport to reach out to the electorate. Generally, TEMCO observation shows that the more the resources at the disposal of a political party for spending in election campaigns, the higher the likelihood of better performance in elections.



*Helicopters used by CHADEMA during campaigns*



*Helicopters used by CCM during campaigns*

Moreover, CCM and CHADEMA used famous artists as their special envoys in campaigning using specifically designed slogans. For example, CCM crafted a slogan Mama Ongea na Mwanao employing groups of artists who moved across the country to mobilise people. Likewise, CHADEMA introduced a campaign known as Toroka Uje almost thirty days to the Election Day.



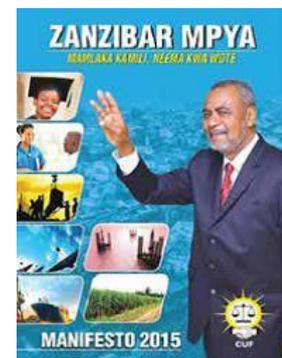
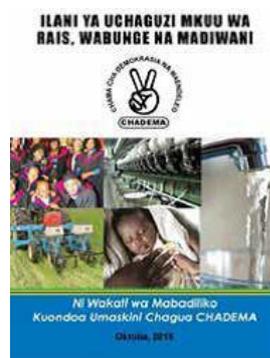
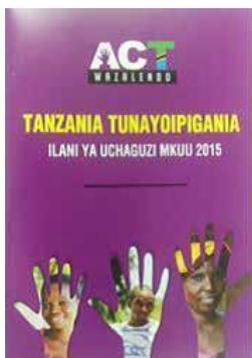
Source: *Mama Ongea na Mwanao Campaign group, 2015*



Source: *Toroka Ujee Campaign group 2015*

### 6.6 Election Manifestos and Issues

In the 2015 election, eight political parties fielded presidential candidates. The CHADEMA's presidential candidate was also supported by three other political parties under the UKAWA coalition. TEMCO election observers' reports show that only four political parties namely ACT-Wazalendo, CCM, CHADEMA and CUF prepared and launched election manifestos. Other political parties neither prepared elaborate election manifestos nor held parliamentary election campaigns consistently and comprehensively for the electorate to discern what they stood for.



*Election Manifestos of some political parties, ACT-Wazalendo, CCM, CHADEMA and CUF*

Political parties set their preferences differently in their election manifestos. CCM's top priority included in its election manifesto going under the slogan of Umoja ni Ushindi (Unity is Victory) was to combat four challenges identified as: (i) poverty, (ii) youth unemployment, (iii) corruption and embezzlement of public funds, and (iv) employment to jobless youth. ACT-Wazalendo had the following four priorities: (i) social security, (ii) inclusive and employment generating economy, (iii) health, and (iv) education. CHADEMA whose manifesto had a slogan: Ni Wakati wa Mabadiliko Kuondoa Umaskini Chagua CHADEMA Kuwa Chachu ya Mabadiliko Unayotaka Kuyaona (It is Time for Change to Eradicate Poverty, Choose CHADEMA, be the catalyst for the change you want to see) had a number of preferences including (i) people's constitution, (ii) cultivating patriotism, (iii) reinvigorating discipline and accountability in the public sector, and (iv) running the country using the contribution of various experts.

The main slogan of the election campaigns both for CCM and the opposition political parties was Mabadiliko (change). TEMCO’s observation on the 2015 election campaigns showed that CCM and CHADEMA candidates for presidential, parliamentary and councillorship elections were not satisfied with the status quo and wanted significant change. One of the key issues which they stressed as critical in bringing about change was reviving national core values and ethics, including fighting against corruption. Table 6.5 shows strategies adopted by the four major political parties in fighting corruption.

*Table 6.5: Political Parties’ Strategies in Fighting Corruption*

Political party	Strategy
ACT-Wazalendo	Prohibiting anyone proven guilty of corruption from working or doing business with public institutions.
	Enacting legislations to make sure that properties of the companies found guilty of corruption are nationalised.
CCM	Establishing a special court to prosecute corruption and economic sabotage cases.
CHADEMA	Inserting a constitutional provision for code of ethics for leaders and civil servants.
	Establishing an independent body to monitor leaders and civil servants.
CUF	Promoting transparency.

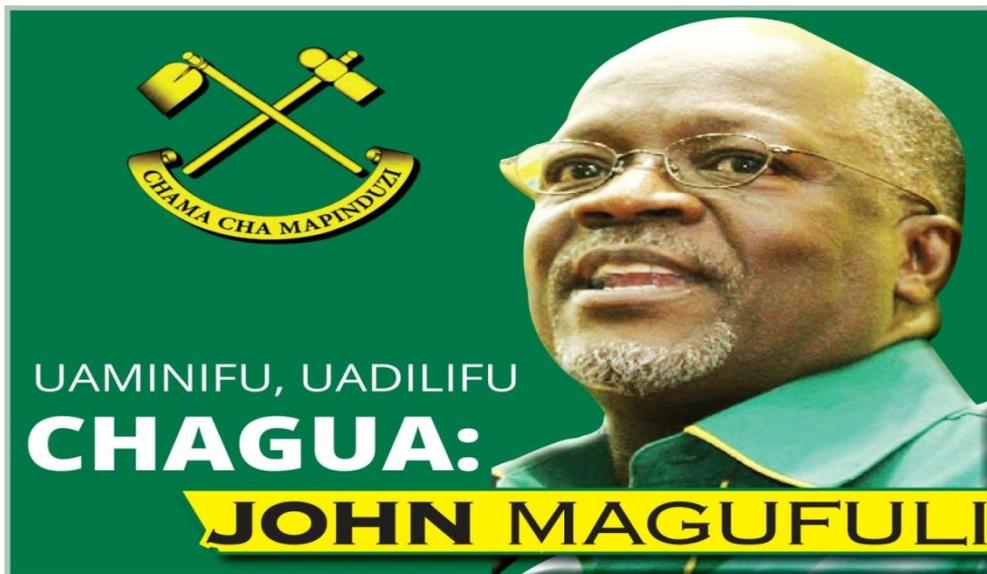
Source: TEMCO observers’ Field Reports

Despite the fact that the election manifestos of the four political parties were emphatic on the fight against corruption and reinvigoration of ethics, TEMCO observers’ reports show that this agenda was not elaborate and emphasis had to be given to the actual election campaigns and slogans. TEMCO observers’ reports show that ACT-Wazalendo had 30 slogans, CCM had 36, CHADEMA had 32, and CUF had 24. Despite the plethora of these slogans, none of them specifically focused on the issue of corruption.

TEMCO observed that the election manifestos of the four major political parties also addressed social service delivery, application of science and technology in the production sectors of the economy to get Tanzania out of poverty, so as to accelerate its ascent into a middle income economy country. TEMCO’s observation noted that political parties did not differ significantly in the fundamental issues of ideology as well as practical issues they advanced as major concerns of Tanzanians. The difference was largely on how they prioritised, planed and strategised the implementation.

The Union question, especially the structure of government, also featured prominently in the election manifestos. CHADEMA’s election manifesto promised a three-tiered-government structure that would fairly distribute power for Zanzibar, Tanganyika and union governments. With regard to the CUF election manifesto, the issue of the Union was emphatically captured in its slogan, on the cover page: Zanzibar Mpya, Mamlaka Kamili, Neema kwa Wote (New Zanzibar, Full Autonomy, Prosperity for All). The CUF election manifesto is predominantly about Zanzibar; Tanzania Mainland is marginally covered.

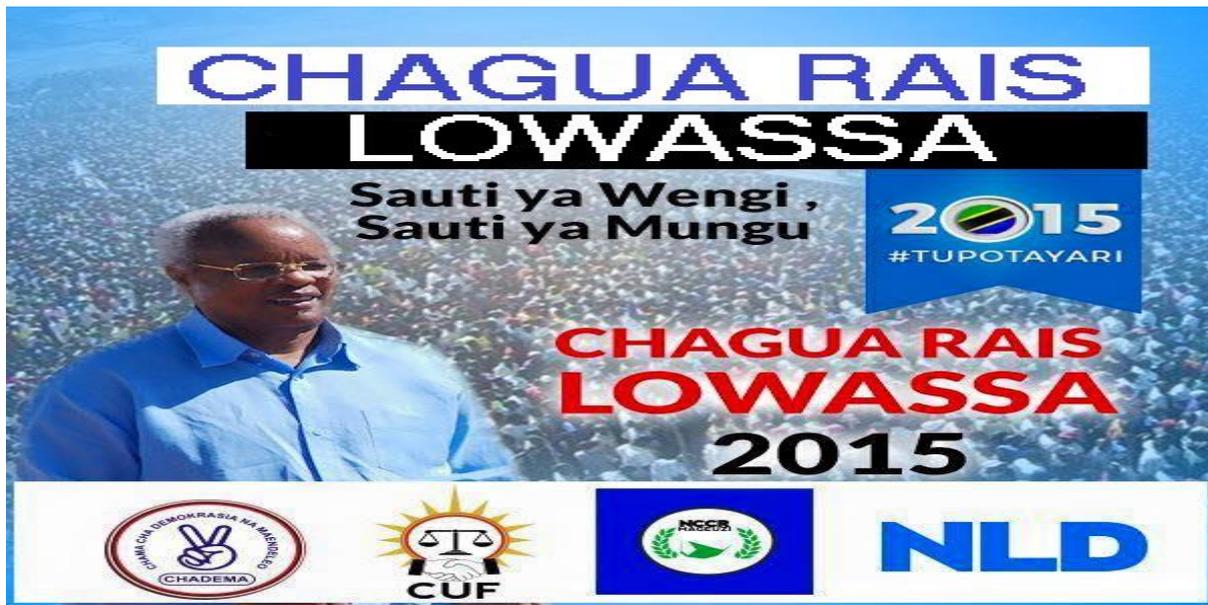
TEMCO observers' reports show that the presidential campaign teams and candidates largely dwelt on glorification of candidates and their personal agenda instead of focusing on their political party election manifestos. TEMCO observers noted that most of the campaign materials such as banners, leaflets, stickers, pens, bags, buttons, T-shirts and khangas contained messages on candidates and not election manifestos of political parties. The CCM campaign was organised around the qualities of their candidate, Dr. John Pombe Magufuli, especially his track record in government service, notably in his portfolio as minister in charge of infrastructure development. Below is one of such campaign materials.



*A CCM's presidential campaign billboard*

The CCM candidate was portrayed as incorruptible, hardworking and trustful and thus the right person to deal with chronic governance problems facing the country. CCM campaigns also made efforts to portray CHADEMA/UKAWA as a vehicle for corrupt politicians in pursuit of self-interest. In addition, CCM campaign teams capitalised on what they claimed to be the corrupt background of the CHADEMA presidential candidate.

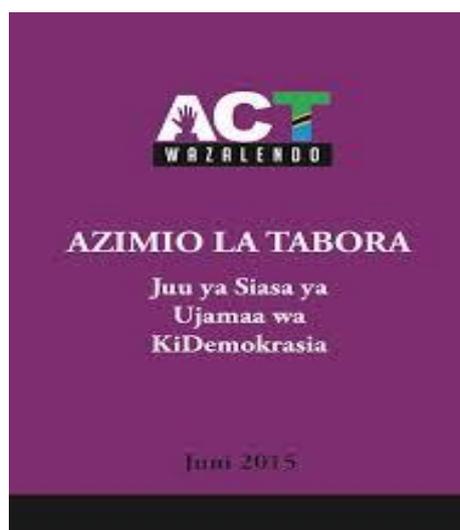
Similarly, UKAWA spent a lot of the campaign time criticising CCM's performance notably by attributing the existence of entrenched poverty, widespread corruption, irresponsibility, rule bending, political patronage, economic mismanagement and the degradation of the basic social and economic services. In addition, the CHADEMA/UKAWA campaign revolved around the personality and qualities of their presidential candidate, Mr. Edward Lowassa. They advanced his record to make what they called 'maamuzi magumu' (hard decisions) during his tenure as the Prime Minister. Very little time was allocated to CHADEMA election manifesto, as indicated in the figure below.



*One of the CHADEMA/UKAWA's posters showing the presidential candidate, Edward Lowassa*

In the same way, there was little attention to party manifestos by parliamentary candidates irrespective of their political affiliation. Most candidates pledged to address local problems and challenges facing voters under their areas of jurisdiction. TEMCO LTO in Chakechake noted that the UDP parliamentary candidate for Chakechake Constituency had promised to build sober houses and centres so as assist victims of drug abuse.

In Mbulu, the ACT-Wazalendo parliamentary candidate promised to ensure construction of secondary schools in each ward with the necessary teaching facilities. In Bukoba, CHADEMA's parliamentary candidate promised to ensure that a new ship would be purchased to ply the Mwanza - Bukoba route.



*ACT-Wazalendo's Tabora Declaration*

The promise for mabadiliko (change) became the single overriding slogan that dominated election campaigns of both CCM and political parties in the UKAWA coalition.



*Cartoonist impression of “change”<sup>14</sup>*

The campaign salutation message for UKAWA was Lowassa = Mabadiliko... Mabadiliko = Lowassa. CHADEMA had “M4C”, to stand for Movement for Change. CCM also used Mabadiliko pledge; using the slogan Chagua Magufuli kwa Mabadiliko ya Kweli. The CCM presidential campaign team altered in their favour the CHADEMA acronym for Movement for Change (M4C) to mean “Magufuli for Change”. This confused the electorate as it became difficult to distinguish between “M4C” for CHADEMA and that for CCM, as shown in the figure below.



*Two slogans used by CHADEMA and CCM*

## 6.7 Voter Education

NEC is legally mandated to provide voter education and to supervise and/or coordinate other institutions or persons providing voter education. The Commission permitted 447 civil society organisations, out of 451 which had applied to provide voter education in the 2015 general election. Given the size of the United Republic of Tanzania, the providers of voter education from the non-state sector were very few. Out of 150 LTOs, only 58 (38.7%) reported that the

<sup>14</sup> This cartoon appeared in one of the newspapers.

CSOs provided voter education. Meaningful voter education depends on the methodology and tactics that are used by the providers. The techniques used by CSOs are shown in Table 6.6.

*Table 6.6: Methods of Voter Education Provision Used by CSOs*

<b>Methodology/Approach used</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Advertisement and leaflets</b>	32	21.3
<b>Brochures</b>	29	19.3
<b>Posters and billboards</b>	27	18
<b>Newspaper articles</b>	20	13.3
<b>Radio news</b>	34	22.7
<b>Social media</b>	19	12.7

Source: TEMCO Observers' Field Reports, 2015

As can be seen from Table 6.6, the methodology used could not be effective due to several technical reasons. Out of six methods, radio news was to some extent used as a medium for communicating election related information to the electorate. Other methods could only be effective to the literate voters in urban areas. Moreover, the non-state voter education providers were largely financed by donors and they decided to go wherever they wanted and their presence was more in urban areas than in rural ones. The government did not set aside a fund to facilitate the CSOs in the provision of voter education. Generally, CSOs used the 'fire-fighting model' in the approach to voter education. Out of 150 TEMCO LTOs, 116 (77.3%) revealed that NEC provided voter education. The Commission used different approaches as shown in Table 6.7.

*Table 6.7: Methods of Voter Education Provision Used by NEC*

<b>Methodology/Approach used</b>	<b>Frequency</b>	<b>Percentage</b>
<b>Advertisement and leaflets</b>	84	56.0
<b>Brochures</b>	70	46.7
<b>Posters and billboards</b>	73	48.7
<b>Newspaper articles</b>	50	33.3
<b>Radio news</b>	89	59.3
<b>Television news</b>	83	55.3
<b>Social media</b>	43	28.7

Source: TEMCO Observers' Field Reports, 2015

As shown in Table 6.7, NEC covered more areas than the CSOs in voter education provision and in addition used television news which the CSOs could not afford. Literate voters benefitted more than those who could not read and write.

Political parties as vehicles of democratic dispensation have a duty to educate and mobilise their members and supporters on matters related to their civil and political rights including participating meaningfully in electoral processes. TEMCO observers established the extent to which political parties carried out this task to mobilise and sensitise the people, in general,

regarding their responsibilities in elections. Table 6.8 shows the extent of involvement of political parties in provision of voter education.

*Table 6.8: Involvement of Political Parties in Voter Education*

Political party	Level of involvement	
	Frequency	Percentage
<b>ACT-Wazalendo</b>	103	68.7
<b>CCM</b>	144	96.0
<b>CHADEMA</b>	125	83.3
<b>CUF</b>	91	60.7
<b>NCCR-Mageuzi</b>	29	19.3
<b>Other parties</b>	58	38.7

Source: TEMCO Observers' Field Reports, 2015

As shown in Table 6.8, the involvement of political parties in facilitating voter education was relatively better than other voter education providers. Voter education was also targeted to specific groups in communities, notably women, the youth and people with disability. Out of 150 TEMCO observers, 56 (37.3%) reported specific initiatives in providing voter education for women, the youth 56 (37.3%), and people with disabilities 43 (28.7%). Voter education for special groups was scant and not given due attention. The methods which were used to provide voter education to the special groups are shown in Table 6.9.

*Table 6.9: Voter Education Approaches for Special Groups*

Methodology/Approach used	Group (%)		
	Women	Youth	PWDs
<b>Radio programmes</b>	42 (28)	38 (25.3)	28 (18.7)
<b>TV programmes</b>	28 (19.7)	32 (21.3)	27 (18)
<b>Radio spots</b>	20 (30)	27 (18)	15 (10)
<b>TV spots</b>	24 (16)	19 (12.7)	12 (8)
<b>Newspaper advertisements</b>	14 (9.3)	18 (12)	16 (10.7)
<b>Visual aids</b>	11 (7.3)	9 (6)	8 (5.3)
<b>Theatre arts</b>	19 (12.7)	15 (10)	N.A
<b>Others</b>	1 (0.7)	1 (0.7)	N.A

Source: TEMCO Observers' Field Report, 2015

As shown in Table 6.9, the methodology used to facilitate voter education to special groups included diverse approaches but such approaches were not used in many parts of the country.

## **6.8 Security Arrangements**

In order for election campaigns to run smoothly, it is important to ensure that security arrangements are in place. This arrangement ensures, among other things, peaceful running of campaigns, security of candidates and campaign teams and the electorate. TEMCO assessed the conduct of campaign rallies and noted that: (i) out of 3,242 meetings 3,240 were held in an orderly manner; (ii) out of 269 campaign rallies, 218 were disrupted; (iii) out of 71 rallies, four

commenced before 8.00 am; (iv) out of 829 rallies that commenced on time, 797 ended after 6.00 pm; and (v) and out of 2,842 rallies, 2,839 were conducted within the specified time.

To a greater extent, political parties and candidates complied with the regulations and the code of ethics and conduct for political parties and candidates, consequently, the campaign rallies for the 2015 Tanzania elections were peaceful. Many political parties abided by campaign schedules (by 92.6%), hence avoiding clashes that usually happen when campaign rallies of more than one political party collide with another. The law enforcement organs also fulfilled their duties and responsibilities in accordance with their professional code of conduct. CEMOT reported that out of 3,794 respondents who were asked whether they ever heard or witnessed any restrictions on campaign rallies from the Police, 3,674 (95.0%) admitted that they had not heard such restrictions (CEMOT, 2015).

TEMCO observers also noted that the level of security was higher for campaign rallies addressed by presidential candidates than parliamentary and councillorship election campaign meetings. CCM and CHADEMA presidential campaign rallies attracted very big numbers during the entire campaign period.



*Police ensuring security in one of the campaign meetings*

The police solicited compliance using their slogan *Utii wa sheria bila shuruti; ulinzi shirikishi*, and community policing. The Police community outreach strategy paid dividends.



*A police officer in one of the consultative sessions with the community*

Another mechanism for ensuring peaceful conduct of campaign rallies was the deployment of political party security groups including CCM’s “Green Guards”, CUF’s “Blue Guards” and CHADEMA’s “Red Brigade”. TEMCO observers noted the use of security guards by three major political parties as follows: (i) CCM (76%), (ii) CHADEMA (55.3%) and (iii) CUF (22%). The use of such security groups was not permitted by the Registrar of Political Parties and was actually banned by the Tanzania Police Force. TEMCO observers noted that the deployment of party security personnel did not significantly disrupt peace during the campaign period. However, clashes between the supporters of CCM and CHADEMA were reported in Tarime Urban Constituency. It is claimed that the clashes led to the death of an innocent person. This was the only isolated fatal incident that was reported by TEMCO LTOs of all 150 constituencies.

## 6.9 Overall Assessment of Election Campaigns

TEMCO’s overall assessment of the 2015 election campaigns is presented in Table 6.10.

*Table 6.10: Assessment of Electoral Campaigns*

Nature and character of campaigns	Marks and grades	Frequency	Percent
The electoral campaigns had very few irregularities which did not at all affect the overall results of the elections. Overall, the campaigns were clean, free and fair.	A (80 - 100%)	42	28.0
The electoral campaigns were generally free and fair but still had a few irregularities which in their totality did not affect in any meaningful way the final outcomes of the election and did not work against the fortunes of stakeholders (political parties, candidates and voters).	B (60 - 79%)	88	58.7
Campaigns permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity and there was favouritism that worked against fortunes of some candidates and their parties.	C (50 - 59%)	16	10.7
Campaigns were marred by numerous shortcomings related to non-compliance of some electoral laws, regulations and electoral code of conduct, management problems incidents of intimidation and favouritism.	D (40 - 49%)	4	2.6
Campaigns were disrupted or mismanaged to the extent that it was not easy to understand what happened.	E (1 - 39%)	0	0
The conduct of campaigns was marred by acute irregularities. There were so many incidents of violence, sabotage, corruption, and provocation to such an extent that some candidates withdrew from the elections or took other measures. Election campaigns were an aborted process.	F (0%)	0	0
Total		150	100.0

Source: TEMCO Observers’ Field Reports

## **6.10 Conclusions and Recommendations**

This section concludes the chapter on election campaigns, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### ***6.10.1 Conclusion***

The election campaigns by the political parties and candidates in the 2015 Tanzania elections were largely conducted within the ambit of the law and code of conduct issued by the election management body. The programmes for the campaigns in constituencies were prepared using a participatory approach involving NEC staff, political parties and the candidates. Many political parties did not follow the campaign schedule. However, in many occasions the big political parties held the rallies as planned and postponement were handled amicably.

Although the Election Expenses Act sets the maximum limit allowable to be spent by political parties and candidates in campaigns, anecdotal and circumstantial evidence show that in many circumstances the law was flouted and the enforcement mechanisms did not work properly. Campaign strategies by political parties and candidates exhibited significant differences in terms of outreach, approaches and resources. The big parties, CCM and CHADEMA, were able to mount colourful, flamboyant and well-attended rallies especially presidential rallies. Small parties were largely unable to stage big rallies. Four political parties, ACT-Wazalendo, CCM, CHADEMA and CUF, set a special day to launch their campaigns and election manifestos at national level. Small political parties, even those which fielded presidential candidates, did not follow that trend. All political parties paid insufficient attention to special groups, especially in voter education. There were no significant ideological differences in election manifestos among the big political parties. All the big political parties largely projected “change slogan” in their campaign coupled with glorification of individuals especially the presidential candidates. Negative campaigning was reported in some constituencies a lot of it involving the major political parties, CCM and CHADEMA at the presidential level. Again, voter education was not given the attention it deserved by both state and non-state providers. Security arrangements at campaign rallies guaranteed peace and security; and of significant importance, the law enforcement organs specifically the Tanzania Police Force, demonstrated a high level of professionalism, competence and diligence to duty. This behavioural pattern shows clearly that the reforms that have been undertaken in the force are to some extent attaining the intended objectives. The clash between CCM and CHADEMA supporters in Tarime resulted into a loss of life of an innocent Tanzanian, as mentioned earlier. This was one of the worst unexpected incidents in the 2015 Tanzanian general election.

### ***6.10.2 Recommendations***

In light of the findings of TEMCO observers regarding the conduct of election campaigns, the following recommendations are made:

- (i) Political parties are encouraged to respect the campaign programme commonly agreed to by all political parties participating in elections.

- (ii) The government is advised to consider devising strategies that would enable small parties to acquire the resources they need to organise campaign rallies and even develop election manifestos.
- (iii) The Election Expenses Act is a noble innovation in Tanzanian politics; the government should put in place effective mechanisms for ensuring compliance by political parties and candidates.
- (iv) Voter education is a necessary ingredient for emancipating voters and equipping them with the necessary competencies required for their active participation in elections. Voter education is strategic to national interest and too important to be left in the hands of non-state actors and development partners. The government needs to consider the possibility of developing a sustainable national civic education strategy to which voter education is a part.
- (v) Political parties and candidates are called upon to refrain from negative campaigns; such conduct does not sit well with the political culture that Tanzanians are struggling to build.
- (vi) The performance behaviour exhibited by the law enforcement organs, particularly the Tanzanian Police Force needs to be nurtured and sustained.

## CHAPTER 7 MEDIA AND ELECTIONS

### 7.1 Introduction

This chapter assesses the performance of the media in relation to the 2015 Tanzania elections. It is divided into five sections. Section one is the introduction followed by section two which deals with legal and institutional frameworks governing the media for the 2015 election. Section three addresses the media coverage of the Biometric Voter Registration process. Section four delves into media coverage of election campaigns and voting processes. Section five concludes the chapter and offers recommendations.

### 7.2 Media Legal and Institutional Frameworks for the 2015 Election

In assessing the performance of the media for the 2015 election, TEMCO established the extent to which media outlets complied with the Media Code of Conduct for 2015 Election Reporting, issued by the Media Council of Tanzania (MCT). MCT noted that the Media Code of Conduct was designed to ensure that the media conducts itself professionally, avoids manipulation, upholds standards of balance and fairness, and acts as a voice of the voters throughout the electoral process. The Media Code of Conduct for 2015 Election Reporting was to be applied alongside the Codes of Ethics for Media Professionals.



*Newspapers in one of the newsstands*

In preparing the Code of Conduct, MCT was aware of the centrality of the media in the election process and the possible adverse effects that might occur in case of abuse of the media. However, TEMCO noted that the Media Code of Conduct for Elections was used on a voluntary basis and the Code did not provide for any penalties for non-compliance. Notwithstanding this, having the Code of Conduct was a sign of a level of commitment towards professionalism in serving as a watchdog against corruption and electoral malpractices so as to ensure credibility, freeness and fairness of elections. TEMCO observation found that a similar code of conduct for the social media was lacking, a situation which made this otherwise burgeoning platform to operate without any oversights.

In trying to regulate the social media, among other things, the Access to Information Act, the Statistics Act and the Cybercrime Act were all enacted in early 2015. These pieces of legislation together regulate use and access to information and provide for punishment in case of misuse of the social media and misrepresentation of statistical information.

Four policies indirectly address media related issues, and directly the communication related aspects, namely, the (i) Information and Broadcasting Policy; (ii) National Telecommunication Policy; (iii) National Information and Communication Technologies Policy; and (iv) National Postal Policy. Other important laws that directly or indirectly impact on the media operations include the (i) Tanzania Communication Regulatory Authority Act, 2010 which license, regulate operations and access to information, monitor content and distribution of air spectrums in the case of broadcast media; (ii) Tanzania Newspaper Act, 1976 which deals with accreditation of journalists and monitoring of publication and content of newspapers; (iii) Tanzania Intelligence and Security Services Act, 1996; National Security Act, 1970; Tanzania Prisons Ordinance, 1967; Government Standing Orders which prohibit possession and publication of unauthorised material which may compromise official state secrets and state security or some state agencies and restrict journalists' movement and collection of information; (iv) Tanzania Police and Auxiliary Forces Act, which authorises law enforcement officers to impound publishing outfits, or confiscate journalists' equipment, inspect journalists' accreditation and prevent journalists from attending unauthorised gatherings; (v) National Elections Act, 1985 which has provisions [Article 53 (1)-(4)] and which requires state run media to provide fair and balanced reporting on all political parties. Private media are not covered by this law. TEMCO was informed that there was no official communication to both state and private media by NEC to remind them to conduct free and fair coverage and equal access to the media.

### **7.3 Media Coverage of BVR Process**

TEMCO media monitoring established that Dar es Salaam contributed a bigger number of stories on elections than other regions. For instance, when the Biometric Voter Registration (BVR) process was going on in Njombe, Makambako and Wanging'ombe, Dar es Salaam contributed 138 items of the total hard news on elections, published in eight news outlets monitored by TEMCO, while Njombe, Makambako, and Wanging'ombe contributed less than 12 items each. The news on BVR originated largely from: (i) handouts from official (NEC) spokespersons (ii) voters that the journalists interviewed at registration centres; and (iii) political and NGOs personalities present at the registration centres or who were able to organise press conferences. This indicates journalists' lack of resourcefulness and enterprise.

A similar bias in coverage of BVR related news was observed in relation to Dodoma which also received higher coverage because the parliament was in session, so journalists could easily solicit commentaries from parliamentary sources. TEMCO observed that none of the stories published from Dodoma originated from ordinary citizens in the region. The trend remained consistent throughout the electoral cycle. The explanation can largely be drawn from the fact

that most media houses operate from Dar es Salaam and a few have representatives in the regions.

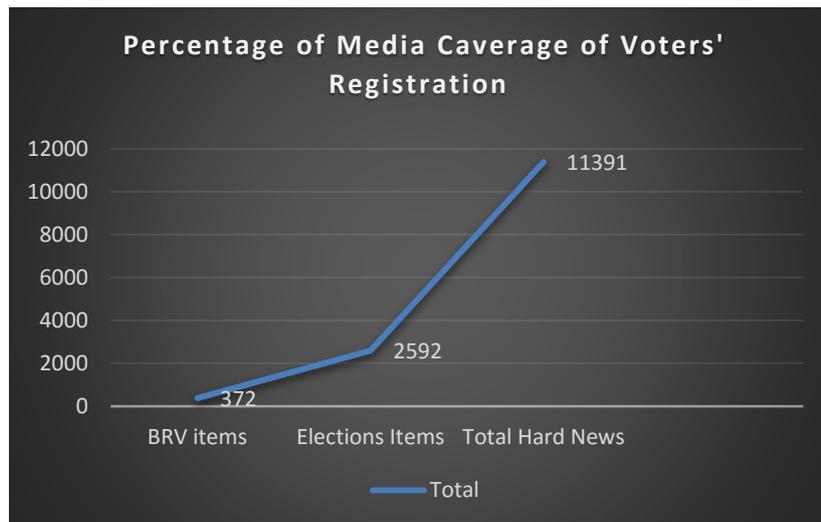


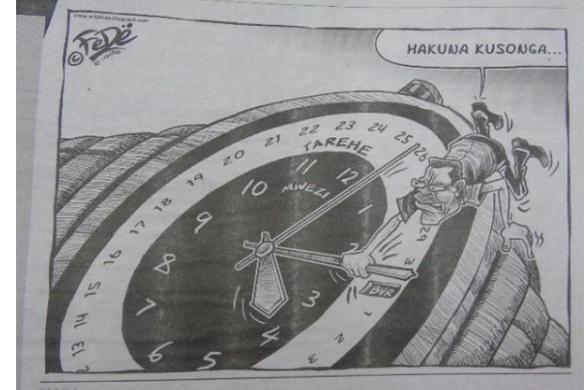
Figure 7.1 amount of print media coverage of BVR

The Biometric Voter Registration process was introduced in Tanzania and used for the first time for the 2015 election. Given the novelty of the technology and the reality that all eligible voters were supposed to register anew, it was expected that the media would take the BVR as a matter of national interest and make it their top agenda. TEMCO monitored the electronic and print media, as well as social media outlets in order to establish the level of importance media accorded to the BVR process. TEMCO found that with time, especially after the countdown to NEC, nomination was running fast both mass media and social media users treated voter registration with utmost importance, realising that it was both the only means citizens could exercise their right to choose their leaders, and a precondition for free, fair and credible elections. But that did not translate into higher coverage of the process by the mass media. Print media coverage of voter registration has been perpetually lower compared with other electoral issues. At the conclusion of the BVR exercise in August 2015, only 3% of the total hard news coverage had been about the BVR.

TEMCO observation noted a continuous attack on NEC in political cartoons, editorials and opinion articles for alleged administrative inadequacy and unpreparedness. The media coverage did not give NEC or other officials the right of reply, as stipulated in the Codes of Ethics and the Media Election Code of Conduct. Visual representation of BVR, through photographs and cartoons were at times malicious and slanderous. Cartoons portrayed NEC as disorganised and allegedly colluding with CCM and the government to spoil the elections.

Cartoons were used by many newspapers to express varied reactions to the performance of NEC in carrying out the voter registration process. The theme that dominated the visualisation of NEC was that of inefficiency and ineffectiveness. Cartoonists captured the mood of some election stakeholders who were pessimistic about the BVR process. Many cartoons portrayed the BVR process as a defective and wheel-less car that was stuck. CCM and the government were blamed for the delay in delivering the BVR kits and also the registration process. Cartoons

representation of the BVR reflected the concern of other electoral stakeholders, who equally felt that NEC and ZEC were not performing up to the mark. Both print and broadcast media carried news echoing political parties' fear that BVR would interfere other election processes (see for instance Nipashe, My 27th, 2015: Undikishaji BVR wazua hofu ratiba ya uchaguzi; Nipashe, May 26th 2015, Selasini akerwa majibu ya serikali uandikishwaji wanafunzi, walimu; Mtanzania, May 27th.,; Bavicha walia na NEC uandikishaji wapiga kura kwa mfumo wa BVR).



### 7.3.1 Coverage of the BVR in Social Media

During the 2015 election, and specifically beginning with the BVR process, the social media, particularly Facebook, Twitter, and Instagram, played pivotal functions for political parties and candidates, as strategic platforms for gathering and disseminating information, receiving feedback and testing the popular opinion and collective feelings. Political parties used Facebook to post information which was often picked up by the print or broadcast media for wider sharing and discussions.

Political parties and candidates established Twitter and Facebook accounts for purposes of getting in touch with their supporters and to reach to the wider electorate. BVR drew little

interest of social media users at the beginning, because social media information is instantaneous, reporting of events in real time. Anything outside the immediate realm loses significance and does not catch social media users' attention. It is partly for this reason that more posts on the BVR appeared when the exercise started in Dar es Salaam. Poor internet connectivity especially in rural areas prevented people from sharing and interacting in social media.

When registration started in Dar es Salaam it became one of the high profile topics in social media. A few social media users demonstrated awareness that voting was a civil and political right. Many tweets and posts on Facebook mobilised people to register. They posted visuals with messages that reminded people to register and vote. Other visual uploads showed Tweeter and Facebook users displaying their voter registration cards with messages such as “Kura yangu nahitaji inipatie huduma bora ya afya kwa jamii yangu, panga foleni”- (with my vote I expect better health services for my community, please queue up; or “tayari nasubiri kupiga kura - kura ni wajibu,” (ready, I am waiting to cast my voting is an obligation) or “ukiipata, hongera mwulize mwenzako unacho?” (If you have it already, congratulations, ask your neighbour if they have it).



*Social media generated image on voter registration*



*Registered voters displaying their voter IDs in social media*

Some of the Twitter users established a Tweeter page called #Kijana Kujiandikisha with followers who were sending messages that mobilised people to register themselves as voters. The tweets also showed concern about breakdown of BVR machines, tight timeframes for registration, registration of non-citizens and such other cases of irregularities. Some Twitter and Facebook users posted messages showing the advantages accrued with voter registration but were critical of people who wanted to get the voter ID not for voting but for use of the card as personal IDs.

### **7.3.2 Broadcast Media Coverage of BVR**

The performance of the broadcast media in covering of the BVR process did not differ significantly from that of the print media. Concentration of the broadcast media was skewed in favour of urban centres, particularly Dar es Salaam, Arusha, Mbeya and Mwanza. Their bulletins on BVR depended on statements of NEC officials or politicians. Event-related stories on crises and failures received more attention than instances of positive developments and success stories. TEMCO observed that East Africa, Clouds and TBC Taifa radio stations were in the forefront in mobilising the youths to register.

At 9.48 a.m., on 22nd July, 2015 the President of the United Republic of Tanzania, Jakaya Mrisho Kikwete, while in Australia, tweeted a message that urged Tanzanians to register: “Kila Mtanzania ana fursa ya kushiriki kwenye maamuzi yahasuyo mustakabali wa nchi kupitia kura yake. Fursa hii inapatikana kwa kujiandikisha.” (Every Tanzanian has an opportunity to decide on the future of the country through voting in elections, which is possible only by registering). The message had been shared 56 times by 4.51 p.m. of the same day, with 65 favourite followers and numerous comments. On the same day, Zitto Kabwe, Kigoma MP and ACT-Wazalendo leader, tweeted for the same purpose. TEMCO noted that although high profile tweets were not always picked by mainstream media, they generated a lot of interest, sparked debates and were widely shared with the various users.

### **7.4 Media Coverage of Election Campaigns and Voting Processes**

During the 2015 election, Tweeter and Facebook became instantaneous means of sharing information and images, making it easy to follow events and developments throughout the election period. The social media was used as an election campaign and propaganda platform. Political parties, candidates and even their followers and members established accounts on Twitter and Facebook which were mostly used to mobilise support, share information and raise awareness on policy and other issues. TEMCO observation noted several cases of abuse. Some users resorted to posting of false information with the intention of discrediting rival political parties and candidates. TEMCO observers witnessed the “online editions” of Nipashe, Mwananchi and Rai newspapers with fake headlines attacking the CHADEMA/UKAWA presidential candidate, Edward Lowassa. The Media Council of Tanzania noted this abuse and published it in one of their weekly bulletins on elections monitoring. TEMCO was later informed that respective editors of the accused media houses disowned the “online editions”.

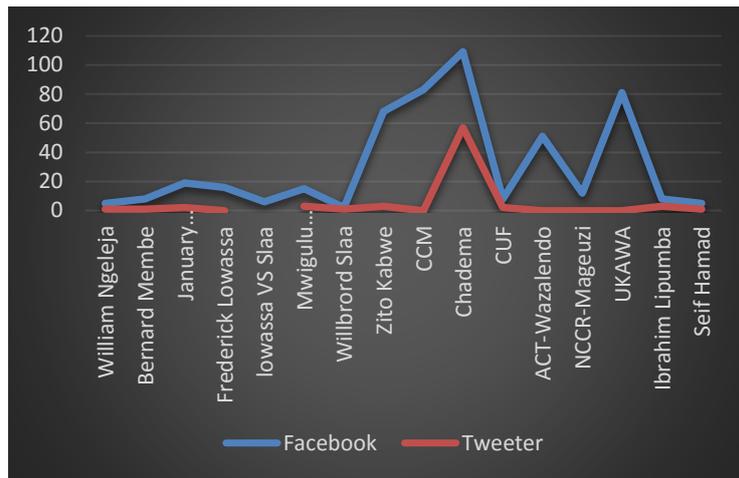


Figure 7.2 Parties/politicians access to social media

TEMCO’s monitoring of the social media revealed that some political parties were more active than others. CHADEMA had more accounts and followers in Facebook followed by CCM and the political parties in the UKAWA coalition. Zitto Kabwe of ACT-Wazalendo was the most popular politician with many Facebook pages established in his name. It is, however, very hard to prove that the social media in Tanzania can be an effective election campaign tool, since access to smart phones is largely enjoyed by urban-based Tanzanians where internet connectivity is also faster and relatively more reliable.

#### 7.4.1 Television Coverage of Presidential Campaigns

TEMCO monitored the main news bulletins of five television stations: Channel Ten, Independent Television (ITV), TBC, Star TV and Mlimani TV. One of the interesting TEMCO’s observations in 2015 media coverage of elections was the elevation of individuals at the expense of political parties. For example, Dr. Wilbrod Slaa, CHADEMA Secretary General, received more airtime on all TV stations than all presidential candidates and political parties put together. As indicated in the chart below, the speech of Dr. Slaa announcing his decision to step down as the CHADEMA Secretary General protesting against the nomination of Edward Lowassa as the presidential candidate of CHADEMA, was broadcast in four television stations. In addition, TBC 1 had a broadcast repeat of the speech on the same day late in the evening, which ended around midnight. While Start TV carried out an interview three days later which lasted for about an hour, Azam TV did an additional one hour follow-up interview with Dr. Wilbrod Slaa.

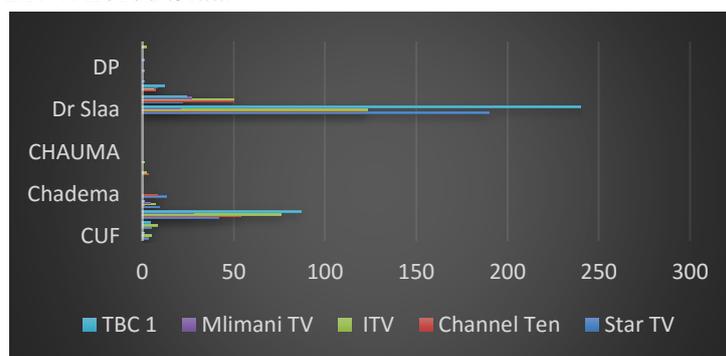


Figure 7.3 Television coverage of the Political Parties

### 7.4.2 Visual Representation of the Electoral Process

The use of visuals in print and social media to represent events, political parties and various elections related issues and processes in the 2015 general elections was unprecedented. Photographs and cartoons were pervasively used to express certain sentiments or to represent a person or an idea. TEMCO observed that such visuals were usually placed on the front pages of major newspapers. These were put alongside pictures of public rallies by presidential candidates of CCM and CHADEMA which attracted huge crowds, used also as an indicator of popularity of the political parties and their presidential candidates.



TEMCO observers noted that the print media used photographs in a sensationalist way, on the front page, and used accompanying verbal texts (headlines) which drew attention of readers to the audience at the rally and the politicians' personality. Many of these photographs showing huge crowds were usually taken from behind the candidates facing the rally or using overhead electronic dollies fitted with photographic facilities. In the social media, photographs were used to deface, demonise and in most cases connect candidates and political parties with slanderous messages. Photographs were recycled and re-used in different contexts that better delivered the propaganda purposes of the social media.

Cartoons played a critical role and enjoyed some freeness in expressing their views. One group of cartoonists raised questions about candidates who made fresh promises without taking stock of what they had delivered from the promises of the previous elections. Another group criticised the government, CCM and NEC.

### 7.4.3 Print Media

Figure 7.4 provides information on the total number of hard news items in newspapers that dealt with elections. TEMCO findings revealed a discrepancy in coverage of issues between newspapers and broadcast media. TEMCO compared the media coverage of trails during pre-election (August 22nd - October 24th) and post-election coverage, and found that the coverage of election related news declined by an average of 15% after the October polls.

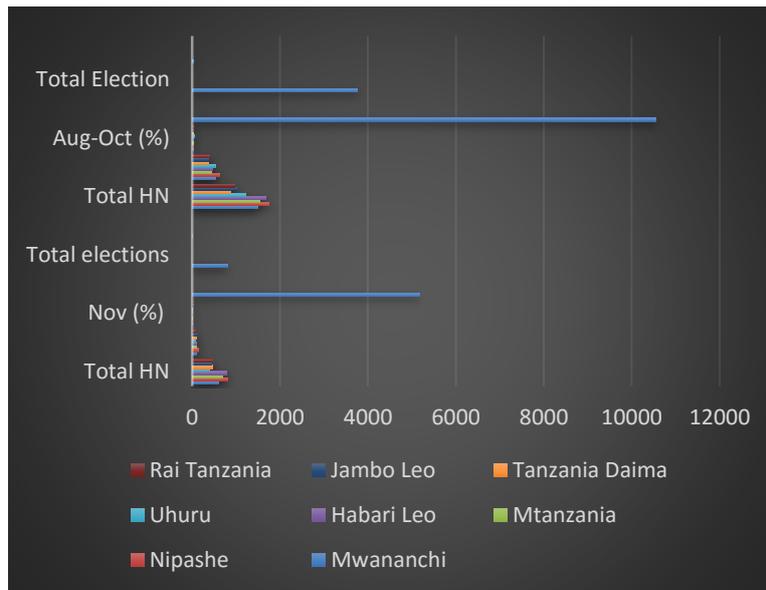


Figure 7.4: Print Media Space Dedicated to Elections (January-November)

#### 7.4.4 Print Media Coverage by Theme

During the campaign period, TEMCO observed that coverage included feature articles on election manifestos of the major political parties. However, this was not done by serialising the manifestos but by quoting politicians addressing public rallies. Generally, much of the coverage was on less serious issues, particularly on stories tending to character-assassinate presidential, parliamentary and councillorship aspirants. TEMCO's observation, as shown in Figure 7.5, indicates that character assassination during the campaign dominated media reports. For instance, for some time, Uhuru newspaper focussed on negative reporting of CHADEMA presidential candidate, Edward Lowassa: Lowasa Aipasua Vipande Ukawa 7<sup>th</sup> August), Lowasa hakujiuzulu, Alifukuzwa-Makamba (September 4th), Lowasa ni Mroho wa Madaraka - amtaka aache Uongo – Vuai (1<sup>st</sup> August).

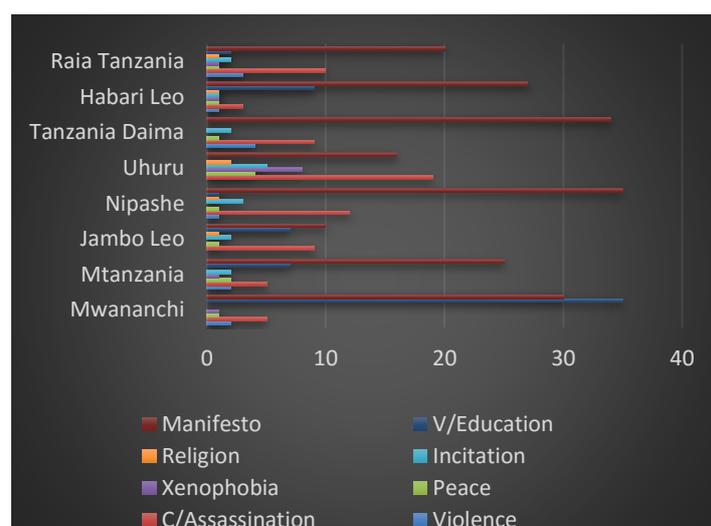


Figure 7.5 Newspapers Coverage by theme

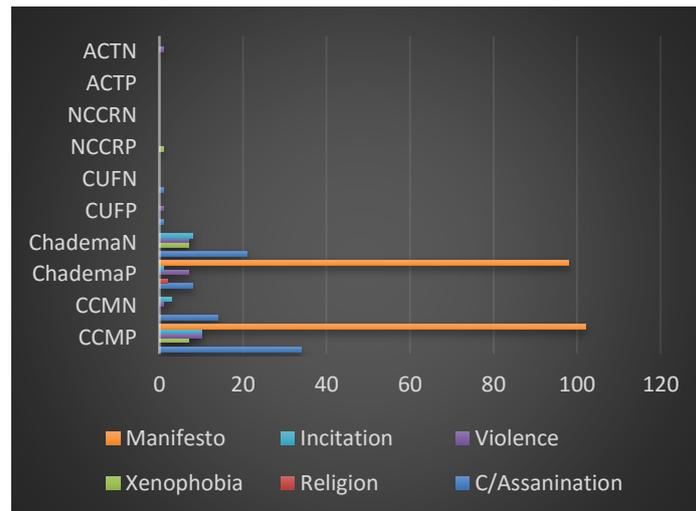


Figure 7.6 Quotes from public rallies

## 7.5 Conclusion and Recommendations

This section concludes the chapter on media coverage of elections, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### 7.5.1 Conclusion

The media conduct and performance in the 2015 general elections registered a considerable commitment to principles and professional standards. The MCT prepared the media code of conduct to guide the reporting of the 2015 election, which was commendable. However, some media outlets became victims of powerful political and financial interests instead of becoming the voice of the voters as provided in the Media Code of Conduct for Elections. Social media platforms were increasingly used and became a favourite of the youths especially in the urban centres. However, social media became very difficult to control. Attempts made by the TCRA and even the government in introducing the Cybercrime Act intended to curb the negative effects and abuse of the social media did not seem to be effective. As a result, a lot of abuses, character assassination and distortion of information happened in the social media than in the conventional print and broadcast media.

### 7.5.2 Recommendations

In view of the observations made in TEMCO's monitoring of the conduct of the media in the 2015 election, the following recommendations are made:

- (i) Media outlets should set aside equal airtime and space for political parties and candidates for all the electable positions: presidential, parliamentary and councillorship.
- (ii) The government needs to regulate the social media platforms so as to stop the rampant misinformation, distortion and exaggeration of electoral information.
- (iii) Media outlets should strictly abide by the conventional Media Code of Conduct as well as the Media Codes of Conduct for Elections.
- (iv) Media outlets should have more programmes for special groups so as to increase their chances of participating in elections as candidates and voters.

## **CHAPTER 8**

### **PARTICIPATION OF WOMEN, THE YOUTH AND PEOPLE WITH DISABILITY IN ELECTIONS**

#### **8.1 Introduction**

This chapter examines the participation of women, the youth and PWDs in the election management, voter registration exercise, voter education programmes, nomination process, campaigns, as well as in voting. The findings are generated from the desk reviews of election observation reports, electoral management bodies (EMBs) reports, media reports, TEMCO reports and relevant legislation. Findings of key issues are presented and discussed in eleven subsequent sections including the introduction. Section two focuses on the legal framework for protection of marginalised groups. Section three deals with participation of women, the youth, and PWDs in the management of elections. Section four delves into participation of women, the youth and PWDs in the BVR process. Section five examines voter education for special groups, and section six deals with issues regarding nomination of candidates in relation to special groups. Participation in election campaigns and participation as voters are dealt with in section seven and eight, respectively. Election Day results and post-election episodes and development for women, the youth and PWDs are subjects of section nine and ten. The last section concludes the chapter and offers recommendations.

#### **8.2 Legal Framework for Protection of Marginalised Groups**

Elections constitute a key element in enhancing popular participation and accountability in democratic political systems. The credibility, freeness and fairness of elections presupposes, among other things, active and equitable participation and inclusion of every group in the community. Tanzania has been conducting periodic regular elections in five-year intervals since independence, first under multipartism, then under single party rule and then after the introduction of a multiparty system in 1992. In general, the rights of women, the youth, people with disability (PWDs) and other groups are protected in the Constitution of the United Republic of Tanzania (1977). Article 12 (2) of the Constitution clearly stipulates that every person is entitled to recognition and dignity. Also, Article 13 (4) prohibits discrimination of any person by any other person or authority. Equally important is Article 21 (1) that provides for the citizens' rights to participate in matters dealing with the governing of the country either directly or through representatives. However, despite the fact that women, the youth and PWDs are recognised as being important stakeholders in the decision-making processes, their actual involvement in the entire electoral cycle remains rather minimal.

Historically, participation of women, the youth and PWDs in elections has been confined in passive rather than active electoral roles. These groups are rarely selected as candidates for various elective posts. In most cases, they are mainly groomed to become campaign entertainers, guards, poll agents and voters rather than leaders. Yet, in case of the eruption of election-related violence, women, the youth and PWDs become the main victims. The marginalisation of these groups has created an endless struggle waged by different actors demanding for equal participation in elections as well as in decision making organs. In Tanzania, one of the fruits of this struggle is the introduction of affirmative action for women commonly known as Women Special Seats System. This is stipulated in Article 66 (1) (b) and

Article 78 of the Constitution of the United Republic of Tanzania (1977) and Section 86 of the National Elections Act, CAP 343, of 1985. It is thus required that women should constitute 40% of the total number of MPs. Women special seats are allocated proportionately to political parties that manage to secure at least 5% of all valid votes in parliamentary elections (NEC, 2015). Also, the law provides for one third of councillors elected in each district council to be reserved for women special seats. However, it is important to note that this type of affirmative action specifically targets the participation of women and not the youth or PWDs.

In 2015, Tanzanians went to the polls in what could be termed by many political analysts as a unique election in the history of Tanzania's multiparty politics. This uniqueness can be defined by three main factors: high level of intra-party competition exhibited by major political parties, i.e. CHADEMA, CUF and CCM; the coalition of opposition parties named UKAWA which sharpened the level of competition; and the elevation of awareness among the youth and women on the need to participate in the electoral process. This was instigated among others by the role played by political parties, civil society organisations (CSOs), the media and other institutions in promoting participation and inclusiveness in elections. However, the extent of involvement and inclusion of the disadvantaged groups during the 2015 general election is yet to be systematically explored. The important question this chapter seeks to address therefore is "to what extent the disadvantaged groups and their interests were considered in the 2015 electoral process"?

### **8.3 Participation of Women, Youth and PWDs in Election Management**

The participation of disadvantaged groups in election management can be assessed by examining the composition of EMBs, namely, the National Election Commission (NEC), which is responsible for managing the union elections and local government election in Mainland Tanzania, and Zanzibar Election Commission (ZEC), which is responsible for Zanzibar elections.

Generally, the composition of NEC and ZEC at the level of the Commission seems to favour men than women, the youth and PWDs. The findings indicate that in the 2015 election, gender disparity was extremely high in ZEC than in NEC. Among the seven ZEC commissioners, none of them is a woman. On the part of NEC, at least three out of the seven NEC commissioners are women. This indicates improvement as compared to the 2010 elections where NEC had only two women commissioners out of seven. Unfortunately, the youth and PWDs are yet to secure space in the two Commissions. At the level of the electoral staff in various districts, participation of women and the youth seems to be significant. For instance, 50% and 30% of polling staff employed at Kilolo and Mafinga constituencies, respectively, were female. In Mwanza, more than half (61%) and in Morogoro-Kilombero (53%), were women. Also, 46% of the youth constituted 46% of the polling staff in Morogoro. However, PWDs are yet to secure significant participation at the level of the districts as polling staff. Only three PWDs in Mafinga Constituency and five in Kilombero Constituency were recruited as polling staff in the 2015 general elections. This suggests that whereas the rate of involvement of women and the youth as polling staff at the district level was relatively promising, the inclusion of PWDs in managing elections remained rather low.

#### 8.4 Participation of Women, Youth and PWDs in BVR

The voters' registration exercise in 2015 attracted a varied range of groups including the marginalised groups. According to the NEC report, 53% of all registered voters were women. Table 8.1 summarises the number of registered voters by groups in the 2015 general elections.

*Table 8.1: Registered Voters by Age and across Gender in 2015 Elections*

S/N	Age	Male	Female	Total	% Female
1	18-35	6,155,613	6,738,963	12,894,576	30
2	36-50	2,744,422	2,946,247	5,690,669	13
3	50-above	1,900,554	2,264,990	4,165,544	10
Total		10,800,589	11,950,200	22,750,789	53

Source: NEC Reports, 2015

When data for the youth (female and male aged 18-35 years) is aggregated, it shows that over half of the registered voters were youth (57%). In this case, women and the youth recorded high rates of registration, implying that they constituted the majority of voters during the 2015 elections. Unfortunately, the voter register does not record the number of PWDs, hence it is difficult to determine their level of registration as voters.

#### 8.5 Voter Education Programs Targeting Women, Youth and PWDs

The 2015 general elections attracted 451 CSOs. Other providers of voter education were the media and political parties by virtue of their conventional roles. CSOs took part in conducting voter education in Tanzania. These included Legal and Human Rights Centre (LHRC), Tanzania Women Lawyers Association (TAWLA), TAMWA, the Coalition of Women MPs (ULINGO), Kigoma Development Promotion Agency (KDPA), Femina Hip as well as Sumbawanga Non-Governmental Organisations (SUMANGO), Baraka Good Hope Orphans Development (BAGODE), and Association of PWDs (CHAWATA). In Iringa Urban for instance, it was learnt that ULINGO had organised a seminar at the municipality for women aspirants in building their capacity to participate in competitive elections. Also, the Association of People with Disabilities (PWDs) in Tanzania organised a seminar in Iringa Urban involving PWDs to make them aware of their rights and obligations during the elections time. In Kilolo, two CSOs namely, FEMA and KARIBU were reported to have provided voter education in three wards: Ilula, Lugalo and Nyalumbu out of the 24 wards at Kilolo Constituency. In Mafinga and Mufindi North, there was one civil society organisation known as Restless Development which was reported to be providing voter education in certain wards.

In Zanzibar, ZEC established Zanzibar Voter Education Reference Group (ZANVERG) with members drawn from civil society organisations and government institutions including Zanzibar Female Lawyers Association (ZAFELA), Association of Non-Governmental Organisations in Zanzibar (ANGOZA), Association of PWDs in Zanzibar (UWZ), JUWAUZA, Zanzibar Youth Forum (ZYF) and the Office of Registrar of Zanzibar ID Card (ZANID). Also, Zanzibar National Association of the Blind (ZANAB), Zanzibar Gender

Coalition (ZGC) and Tanzania Media Women Association (TAMWA) were involved in the provision of voter education.

### **8.5.1 Media**

Print, electronic, and social media were not left behind in sensitising women, the youth and PWDs to take part in the 2015 general election. For example, East Africa Television (EATV) in collaboration with East Africa Radio conducted a youth sensitisation campaign known as ‘Zamu Yako 2015’ (2015 is your time) with the aim of encouraging the youth to take part in the election (The Guardian, February 2015). This campaign targeted to raise awareness of the youth on the importance of registering in the voter register, taking into consideration the fact that almost 68% of the country’s population falls in that group category (The Guardian, February 2015).

In Kigoma, community radios such as Radio Joy and Kwizera in Kasulu played the important role of educating voters to participate in various stages of the electoral process. Likewise, in Arusha, it is reported that radio stations such as Sunrise, Triple A and Radio One did prepare voter education programmes. Other CSOs such as TAMWA used both public broadcasting and privately owned media, including Tanzania Broadcasting Service (TBC), Independent Television (ITV), East Africa Television (EATV), Clouds TV and Channel Ten to provide voters education.

### **8.5.2 International organisations**

There were various empowerment programmes put in place by international organisations to sensitise and ensure equal participation of all groups in the 2015 general elections. They included the UNDP, UN-women, Action Aid Tanzania (AATZ), Restless Development, and the BBC Trust Fund. The UNDP programme known as Democratic Empowerment Project (DEP) aimed at supporting democratic development in Tanzania throughout the election cycle. Among other things, the programme focused on ensuring that inclusive participation in elections and politics are enhanced through the empowerment of women, the youth and PWDs; strengthening political party efforts to promote inclusive participation for women, the youth and PWDs; training potential female candidates prior to embarking on their campaigns; training men on the importance of women’s political participation and supporting the efforts to ensure that national peace infrastructures are enhanced to mitigate and prevent election-related conflicts including conflict-related sexual violence targeting women and girls (UNDP-DEP, 2013-2016).

Similarly, Action Aid Tanzania (AATZ) collaborated with the Tanzania Gender Networking Programme (TGNP) in organising the National Women Forum for women aspirants for all leadership positions for the 2015 general elections. The forum brought together more than 100 women, youths and PWDs from all regions of Tanzania Mainland and Zanzibar who shared their concerns and challenges with experienced women leaders (AATZ, 2015). In this forum, the Ambassador and Former Pan-African Parliament President Hon. Gertrude Mongela was among the key speakers. In her address she said, “I admit that there are so many obstacles in

political parties once you are a woman. Be careful to the parties you are tied to... They can mislead you in your original intention to become leaders” (AATZ, 2015).



*Women in AATZ empowerment programme*

Furthermore, the UN-Women did play a facilitative role in enabling the CSOs to carry out voter education campaigns in educating women about their rights to vote for the candidate of their choice. These CSOs included ULINGO, TGNP and TAMWA. Also, the UN Women funded the preparation of various posters aiming at creating awareness to women and other groups prior the voting day. One of the UN-Women poster read as follows:

“It is everybody’s right to choose the candidate of their choice.”

Husband: My wife, keep your voter card in a safe place to enable you choose Mr. Tabasamu to become our leader.

Wife: It is my constitutional right to vote for the leader of my choice.

Son: Mom is right, Dad. (The Guardian, February 2015)

### ***8.5.3 Political Parties***

Political parties particularly CCM, CUF, CHADEMA and ACT-Wazalendo were key agencies for voter education in all constituencies in the country. This was done during the campaign rallies where party supporters were encouraged to show up for voting.



*Residents of Ugesa Village in Ihalimba Ward at Mufindi North listening to their fellow CHADEMA supporter explaining how to vote.*

In many of the public rallies, women and the youth were seen attending the meetings. However, whereas CCM's meetings seemed to attract more women, in CHADEMA's meetings, it was the youth who attended in big numbers.



*CHADEMA campaign team in the campaign rally in Arusha*

Moreover, some political parties paid special attention to the needs of PWDs in their campaign meetings. This was observed in one of the CCM's public rallies in Mashujaa Ground at Mafinga Constituency where sign language experts were seen communicating with the hard of hearing, who attended the meeting.



*Two ladies with hearing impairment keenly following the speech of the CCM parliamentary candidate in Mafinga, with the help of a sign language expert*

#### **8.5.4 Challenges in the Provision of Voter Education**

There were various challenges facing the provision of voter education during the 2015 general elections. In general, findings from TEMCO regional reports show minimal intervention in voter education in the rural areas. Public accessibility to the media was largely urban-based. Radio programmes were constrained for not being accessible to people in the rural areas where media coverage happens to be limited. For example, it was reported that limited media coverage denied the majority of people at Kalambo Constituency in Rukwa region opportunity to get voter education. This was also the case in Kigoma Region where, for example, Radio Joy and Kwizera which invested much on voter education are based in Kigoma Municipality, Kasulu and some parts of Muhambwe respectively. It was also learned that even the internet network was not reliable and people failed to get through to the social media (blogs, instagram, facebook, viber), to access such education.

Moreover, the voter education campaign that was provided by political parties was highly politicised. For example, CHADEMA instructed its supporters to use their own pens in filling the ballot papers, alleging that the pens provided by NEC might shift the votes to CCM candidates. CHADEMA also instructed its supporters on how to fold the ballot papers in order to prevent any manipulation of their voting preferences. There was a belief that if the ballot paper was not folded as instructed, there was a danger that the tick could be shifted from CHADEMA's candidate to CCM's candidate. On the part of CCM, it was claimed that if one did not vote for the party, it would be possible for the authorities to trace back the name of the voter. These are just a few examples of how political parties used campaign meetings and indoor meetings to disseminate false information in order to solicit votes.

#### **8.6 Nomination of Women, the Youth and PWDs**

The nomination of candidates to contest in various positions was done at two levels: nomination within political parties and nomination by the EMBs (NEC and ZEC). Overall, the involvement of the youth and women as candidates during the 2015 election improved

compared to previous elections. However, the number of women candidates was relatively low compared to that of men. Also, the number of PWDs was quite insignificant across all political parties.

### **8.6.1 Nominations within Political Parties**

There was no common style of intra-party nomination used across the political parties. The style varied from one constituency to another and among political parties. According to TEMCO regional reports (2015), the major approaches used to nominate candidates were ‘preferential voting’ and ‘handpicking’. The preferential voting approach, which was largely participatory, was mainly employed by CCM, CUF, ACT-Wazalendo and CHADEMA while the handpicking model was widely used by smaller parties.



*First Lady, Salma Kikwete with CCM’s presidential candidate’s wife, Janet Magufuli*

### **8.6.2 Presidential Nominations within Political Parties**

A total of eight political parties nominated presidential candidates for the 2015 election; these were ACT-Wazalendo, ADC, CCM, CHADEMA, CHAUMMA, NRA, TLP and UPDP. Unlike in previous general elections, the 2015 general elections attracted a good number of women and youth aspirants to vie for various elective posts including the presidential position. For instance, within CCM, the women and youth aspirants included Dr. Helena Elinawiga, Amina Salum Ali, Dr. Mwele Malecela, Dr. Asha Rose Migiro, Monica Mbega, Ritta Mlaki, January Makamba, Mwigulu Nchemba and Dr. Hamis Kigwangala (TEMCO, 2015). The race, which had a total of 41 candidates, became very exciting after two women, Asha-Rose Migiro and Amina Salum Ali, were able to compete up to the top three contestants for presidency. However, in the end Dr. John Pombe Magufuli won the intra-party race for nomination and chose the Minister of State in the Vice-President’s Office (Union Affairs), Ms. Samia Suluhu Hassan, as the running mate for the Union presidential elections. This was the first time in Tanzania’s political history that a woman was chosen as the running mate for the post of Vice-President.



*Top-five CCM presidential candidates*

It is interesting to note that only one woman, Ms. Anna Mghwira from ACT-Wazalendo, was nominated by NEC as a presidential candidate in 2015 general elections.



*ACT-Wazalendo presidential candidate, Ms. Anna Mghwira*

### **8.6.3 Parliamentary and Councillorship Nominations within Political Parties**

Overall, the nomination process in most of the constituencies favoured men than women. For example, in Arusha, all 25 candidates who succeeded to vie for the councillorship position in 25 wards were men. In Kilolo, out of 103 CCM members who picked nomination forms seeking

their party's approval to run for the councillorship elections, 99 were men and only four were women.



Muleba South CCM Parliamentary candidate, Anna Tibaijuka at a campaign rally

In Mufindi North, a total of 58 CCM members picked nomination forms for councillorship elections for 11 wards, out of whom, 54 were men and four were women. Just like in CCM, the level of women's involvement as aspirants for CHADEMA was very low in Kilolo. Out of 76 CHADEMA members who picked nomination forms seeking their party's approval to run for the councillorship elections, 74 were men and two were women. The nominated candidates were 24, where men were 22 and females were only two (8.3%).



*Kawe Constituency CHADEMA parliamentary candidate, Halima Mdee at a campaign rally*

Moreover, some of the MPs who had won the special seats in the previous elections decided to contest directly in the constituencies. These included Ester Bulaya (CHADEMA), Prudeciana

Kikwembe (CCM), Mary Mwanjelwa (CCM), Suzan Kiwanga (CHADEMA), Magdalena Sakaya (CUF) and Suzan Lyimo (CHADEMA) (Mwananchi, 20, April, 2015). This was partly a result of capacity-building programmes that were conducted by different actors in encouraging women to contest in the constituencies. Dr. Mwanjelwa admitted that various training programmes including UN-Women and UNDP boosted their confidence to contest in the constituencies (Mwananchi, 20, April, 2015).

#### **8.6.4 Challenges of Intra-party Nominations**

The inclusion of disadvantaged groups as aspirants and candidates during the 2015 election was generally very minimal. Unlike women and the youth, the nomination of PWDs seems to be extremely low. It was claimed that PWDs especially those with albinism were not free to fully participate in the election process due to fear following a series of killings of people with albinism in the country (Nipashe, February, 2015).



*Campaign against killing of people with albinism*

A notable exception from this was in Lindi Urban Constituency where Mr. Salum Barwany was nominated by CUF to defend his seat.

#### **8.6.5 Nomination by NEC and ZEC**

Overall, only few women won the intra-party competition and so only a few were approved by NEC to contest in various elective posts. However, compared to the 2005 and 2010 elections where women constituted only 13% and 18% of all candidates for parliamentary elections respectively, during the 2015 election, 19% of all candidates were women. Despite the notable increase in the number of women candidates for parliamentary elections from 13% in the 2005 elections to 19% in the 2015 election, the proportion of women candidates remains far below that of men. For the 2015 parliamentary elections, only 10% and 6% of all nominated candidates were women within CCM and CHADEMA, respectively. Table 8.2 presents the number of candidates approved by NEC in four political parties.

*Table 8.2: Selected Parliamentary Contestants from Political Parties, 2015*

S/No.	Party	Male	Female	% Female
1	CCM	241	26	10
2	CHADEMA	181	11	6
3	CUF	118	15	11
4	ACT	179	30	14

Source: NEC, 2015

### **8.6.6 Women Special Seats**

There was no single common approach for nominating women for special seats at all levels for all political parties. Each political party had its own modality for nominating women for special seats. For CCM, the nomination process for women special seats at the parliamentary level was done at the district level where women representatives from all the CCM branches in the district got the chance to vote for a candidate of their choice through preferential polls. The process was the same at the ward level.

For CHADEMA, the nomination of women for special seats especially at the parliamentary level was done through preferential votes by CHADEMA Women Council (BAWACHA) or CHADEMA Youth Council (CHAVITA). The names were then forwarded from the district level to the Executive Committee for final nomination. While in some areas CHADEMA used the handpicking method, for the remaining parties the preferential voting model was widely used. In certain instances, those who failed to get nominated through the preferential voting decided to defect to other political parties. For example, 19 out of 24 candidates who failed to be nominated within CCM in Arusha Region defected to CHADEMA.

The nomination process for women special seats in certain political parties was flawed due to allegations of corruption and favouritism. For example, the former chairperson of the Committee of UKAWA's MP candidates in the southern highlands, Mr. Jacob Kalua, expressed his dissatisfaction of the nomination process arguing that some nominated women had never been active members of the party (The Citizen, 13th November 2015).

Allegations of favouritism were also raised in Iringa where some CHADEMA officials claimed that three positions had been awarded to candidates some of whom had only joined the party in the last minute while other regions such as Songwe where CHADEMA had won three seats was not awarded even a single seat. The Mbarali CHADEMA's Secretary, Mr. Nicolaus Lyaumi also complained that those selected for special seats did not deserve this, as they were not known to the majority of party members in Mbeya region (The Citizen, 13th November 2015).

### **8.6.7 Nomination of Women by NEC**

NEC is mandated to nominate names of candidates submitted to them by the registered political parties in Tanzania Mainland and Zanzibar for various elective posts including women special seats. The distribution of women special seats among the qualified political parties is based on the special formula stipulated in the Tanzanian Electoral laws. There were 113 women special

seats, which is 40% of all MPs in the parliament that were to be allocated to those political parties that had attained a 5% threshold of parliamentary votes. The seats were distributed to political parties in proportion to the percentage of their acquired votes in the parliamentary election.

For the councillorship elections, the law provides for one third of councillors elected in each district council to be reserved for women special seats. In this case, the total number of wards during the 2015 election was 3,957. Hence, there were a total of 1,406 seats to be distributed to different political parties in proportion to the secured votes at the councillorship elections.

### **8.7 Participation in Election Campaigns**

The 2015 general election campaign attracted all groups in the society especially the youth and women. According to TEMCO regional reports, the attendance of women, the youth and PWDs in election campaigning was relatively high. For example in Mjini Magharibi constituencies, the majority of youths, women and PWDs, attended public rallies mainly for UKAWA and CCM campaigns. Also, in Kigoma, many campaign meetings were attended by more women than men. However, it was reported that women were given incentives such as money and clothes, to attend. It was also noted that attendance by women and the youth varied from one political party to another. For example, in Rukwa constituencies, more women than men attended the CCM rallies. In Njombe constituencies, the youth dominated in CHADEMA campaign rallies.



*ACT-Wazalendo presidential candidate, Ms. Anna Mghwira, addressing a campaign rally*

#### **8.7.1 Discriminatory Practices against Women**

During the campaign period, there were incidents of abuse and discrimination especially against female candidates. For example, in Ilemela Constituency, CHADEMA's candidate, Mr.

Hyness Kiwia was quoted saying the following in one of his campaign meetings: “Don’t elect Angelina Mabula ... she is divorced. If she failed to keep up her marriage, it will be difficult for her to handle the parliamentary post....”



*Ilemela Constituency CCM parliamentary candidate, Angelina Mabula at a campaign rally*

This is against the Election Ethical Code of Conduct 2010, Section 124A of the Election Act No. 1 of 1985 which directs all political parties, government officials, voters as well as electoral bodies to observe election ethics. Specifically, Section 2.2 (b) forbids a candidate to use abusive words, statements, threats, or harassment of whatever form against another candidate.



*CCM's presidential running mate, Samia Suluhu Hassan at one of the campaign rallies*

Moreover, female candidates received less media coverage compared to the male candidates. According to the research done by Tanzania Media Women Association (TAMWA), female candidates received only 11% of coverage by the print media in September and October 2015 compared to male candidates.

### **8.8 Participation of Women, Youth and PWDs as Voters**

Voter turnout was relatively higher in 2015 general elections than it was during the 2010 elections. Most of women and young Tanzanians, many of whom were voting for the first time, turned out in large numbers. According to NEC, it is reported that women and the youth constituted the majority of those who were officially registered to vote (The Citizen, 26/10/2015). TEMCO noted that the voting environment was good as expecting mothers, voters with infants, and PWDs were allowed to jump the queue, to cast their votes.



*An elderly Tanzanian woman casts her vote in the presidential election 25th October, 2015*

### **8.9 Election Results for Women, Youth and PWDs**

The 2015 general elections slightly increased the number of women MPs elected directly from constituencies. In elections conducted during the single party period from 1965-1980 no woman was elected from any constituency in Tanzania. In 1985 and 1990 only one and two women were elected, respectively. In the last four general elections since the re-introduction of a multi-party political system in 1992, the number of directly elected women members of parliament (MPs) has been rather small constituting only eight (3.4%) in 1995, twelve (5.3%) in 2000, seventeen (7.3%) in 2005 and twenty one (8.7%) in 2010. In the 2015 election the number of women MPs directly elected through constituency seats increased to 25 (9.5%), as shown in Table 8.3.

Table 8.3: Elected Women MPs through Constituency Seats

S/No.	Name	Political party	Constituency	Region
1	Jenista Mhagama	CCM	Peramiho	Ruvuma
2	Janeth Mbede	CCM	Ileje	Mbeya
3	Angelina Mabula	CCM	Ilemela	Mwanza
4	Mary Chatanda	CCM	Korogwe Urban	Tanga
5	Mary Nagu	CCM	Hanang'	Manyara
6	Margreth Sitta	CCM	Urambo	Tabora
7	Bona Kalua	CCM	Segerea	Dar es Salaam
8	Hasna Mwilima	CCM	Kigoma South	Kigoma
9	Mboni Mhita	CCM	Handeni Rural	Tanga
10	Hawa Ghasia	CCM	Mtwara Rural	Mtwara
11	Bahati Ali Abeid	CCM	Mahonda	Kaskazini Unguja
12	Dr. Ashatu Kijaji	CCM	Kondoa	Dodoma
13	Dr. Pudesiana Kikwembe	CCM	Kavuu	Katavi
14	Stella Martin Manyanya	CCM	Nyasa	Ruvuma
15	Lolesia Bukwimba	CCM	Busanda	Geita
16	Mwantakaje Haji Juma	CCM	Bububu	Mjini Magharibi
17	Prof. Anna Tibaijuka	CCM	Muleba South	Kagera
18	Saada Mkuya Salum	CCM	Welezo	Mjini Magharibi
19	Ester Bulaya	CHADEMA	Bunda	Mara
20	Pauline Gekul	CHADEMA	Babati	Manyara
21	Suzan Kiwanga	CHADEMA	Mlimba	Morogoro
22	Halima Mdee	CHADEMA	Kawe	Dar es Salaam
23	Ester Matiko	CHADEMA	Tarime Urban	Mara
24	Naghenjwa Kaboyoka	CHADEMA	Same East	Kilimanjaro
25	Magdalena Sakaya	CUF	Kaliua	Tabora

Source: TEMCO observers' Field Reports, 2015

Out of 1,250 contestants in the parliamentary election through constituency seats, 237 (about 19%) were women. Out of the 237 women contestants, only 25 (10.5%) won. CCM garnered 18 seats (69.2%), CHADEMA won six seats (23.1%) and CUF gained two seats (7.7%). This was a slight increase of women contestants through constituency seats compared to the 2010 general elections in which out of 1,036 contestants 191 (18.4%) were women. In addition, through the Special Seats system, more women were selected as MPs and councillors. Table 8.4 shows the number of women special seats attained by various political parties in accordance to the number of votes obtained in the 2015 election.

Table 8.4: Women MPs and Councillors Selected through Special Seats

Political Party	Number of MPs	Number of Councillors
CCM	66	1,022
CHADEMA	37	208
CUF	10	79
ACT-Wazalendo	-	6
NCCR-Mageuzi	-	6
Total	113	1,393

Source: NEC, 2015

Despite this promising trend, women constitute only 9% of all the MPs who were directly elected from the constituencies. There are women who could not win in the constituencies, wards or the presidential race due to various reasons including stiff competition, patriarchal culture among the electorate, low level of income among female candidates, as well as low level of women emancipation interventions, including media coverage. Despite these socio-political and cultural factors, the legal framework provided for the right of men and women to contest equally in parliamentary and councillorship elections.



*The presidential candidate of ACT-Wazalendo entering the Mashujaa Grounds in Dodoma for a campaign meeting.*

## **8.10 Post-Election Episodes and Developments**

### ***8.10.1 Presidential Appointments of Women, PWDs, and the Youth***

In a move hailed as recognising the importance of the youth, women and PWDs, the newly elected President of Tanzania has included youths, women and PWDs in his cabinet. Women constitute 22% of the appointed cabinet ministers. Appointed women cabinet members include Jenister Mhagama, Ummu Mwalimu, Prof. Joyce Ndalichako and Angela Kairuki. Dr. Suzan Kolimba, Stella Manyanya, Angelina Mabula, and Anastazia Wambura have been appointed Deputy Ministers. Also the President has appointed a person with disability Dr. Abdallah Posi, Deputy Minister. Moreover, the President has appointed Dr. Tulia Ackson Mwansansu a Member of Parliament; before she was elected Deputy Speaker by the National Assembly.

## **8.11 Conclusion and Recommendations**

This section concludes the chapter on participation of women, youths and people with disability, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### ***8.11.1 Conclusion***

The findings clearly indicate that there is still a long way to go for the disadvantaged groups to be fully included in the electoral processes, particularly as candidates and as winners. Yet, it is important to note that compared to previous elections since 1995, the 2015 election registered

some slight progress regarding participation of the youth, women and PWDs in various stages of the election cycle. The findings have also shown that the voter education campaign was rather inadequate and largely urban-based, and thereby leaving a significant part of the electorate in the rural areas not well informed about their rights and duties during the electoral process.

### ***8.11.2 Recommendations***

This chapter recommends the following:

- (i) Political parties need to review their internal democratic practices during the process of nominating electoral candidates, particularly special seats for women.
- (ii) Political parties should adopt affirmative action policy in order to provide more space for special groups to vie for electable leadership positions.
- (iii) The government needs to design a nation-wide and inclusive voter education programme that targets special groups and cover both urban and rural areas of the country.
- (iv) The government needs to put in place legal provisions that will facilitate the selection of youths, women and PWDs as candidates in their respective political parties.

## CHAPTER 9

### VOTING, VOTING COUNTING AND DECLARATION OF RESULTS

#### 9.1 Introduction

This chapter dwells on Election Day activities: voting, vote counting, declaration of results as well as post-election episodes and developments. The chapter is organised into eleven sections, beginning with this introduction. Section two deals with setting up the polling stations, and voting preparations. Section three is concerned with policing and securing arrangements on the Election Day. Section four focuses on the performance of electoral staff whereas section five deals with vote counting and display of election results. Section six illuminates declaration of presidential, parliamentary and councillorship elections. Section seven deals with voter turnout followed by post-election developments and episodes in section eight. Election petitions are a subject of section nine followed by the overall assessment of the Election Day activities in of section ten. The conclusion and recommendations are provided in the last section.

#### 9.2 Setting-up the Polling Stations and Voting Preparations

TEMCO observers' reports show that the majority of the polling stations were set up in public buildings such as schools and local government offices. The reports also show that in one polling centre, there were several polling stations. In general, in places where there were no public buildings for setting up the polling stations, tents were mounted and converted into polling stations, especially in sub-urban areas. The polling booths were made of soft board materials which could be assembled or disassembled in a few minutes.



*Assembling of polling booths*



*Voters checking their names on the lists posted outside a polling station*

TEMCO observers' reports show that electoral staff and other stakeholders checked election materials prior to the opening of the polling stations to make sure that everything was in place.



*President Kikwete places a ballot paper in the election box at a polling station*

Election materials included permanent voter's registration list, ballot boxes, ballot papers (for presidential, parliamentary and councillorship elections), stamp and stamp pad, indelible ink, forms (No.13, 14, 15, 16, 17, 18, 19, and 20), seals, cello tape, drawing pins, razor blade, envelopes (No. 2A, 2B, 2C, 3A, 3B, 3C, 4, 5A, 5B, 5C, 6A, 6B, 6C, 7A, 7B, and 7C), draft pads, pens, lamp with batteries, polling booths, and result forms (No.21A, 21B, 21, C, Section A and B).



*CCM's presidential candidate Dr. John Joseph Magufuli at a voting station*

TEMCO reports show that more than two thirds of election materials were available as shown in Table 9.1.

*Table 9.1: Adequacy of Election Materials*

Adequacy of election materials	Type of Election Materials					
	Voter Lists	Ballot Papers	Station's Stamp	Ink	Forms	Pens
<b>Adequate</b>	93.6	95.3	92.7	95.3	93.0	92.6
<b>Adequate and partly defective</b>	2.7	1.1	3.4	0.9	1.5	1.3
<b>Inadequate</b>	0.3	0.5	0.6	0.5	0.6	0.8
<b>Missing</b>	3.4	3.1	3.3	3.3	4.9	5.3
<b>Total</b>	100.0	100.0	100.0	100.0	100.0	100.0

Source: TEMCO Observers' Field Reports, 2015

TEMCO observers' reports show ballot boxes for presidential, parliamentary and councillorship elections were arranged in such a way that voters could easily identify them, as shown in Table 9.2.



*CHADEMA's presidential candidate Mr. Edward Lowassa at a voting station*

*Table 9.2: Arrangement of Ballot Boxes at Polling Stations*

Arrangement of ballot boxes the polling stations	Percent			
	Yes	No	Missing	Total
Ballot boxes arranged as required	86.0	9.0	5.0	100
Ballot boxes placed closer to presiding officer for easy observation	77.4	14.0	8.6	100
Ballot boxes showed being empty	94.2	1.0	4.8	100

Source: TEMCO Observers' Field Reports, 2015

### ***9.2.1 Opening of the Polling Stations and Voting***

TEMCO observers' reports show that most of the polling stations opened a few minutes before 7.00 a.m., which was the official beginning time for voting. TEMCO reports indicate that 4,157 out of 7,316 polling stations were opened between 7.00 a.m. and 7.29 a.m., equivalent to 56.7% and only 83 polling stations equivalent of 1.1% were opened after 8.00 a.m., as shown in Figure 9.1

It was also noted that a few polling stations had a brief delay in opening time due to a number of reasons including delay in receiving election materials or for practical problems. NEC postponed elections in Kimara Stopover, Kimara Temboni, Saranga and Sinza polling stations in Dar es Salaam due delays in distributing voting materials.

TEMCO reports show that voting was conducted in a peaceful atmosphere. Furthermore, the reports show that there was a four-step procedure for voting at a polling station: (i) voters checking their names posted outside the polling stations to make sure that they were at the right polling station; (ii) voter's ID checked by both the electoral officers and political party agents before being allowed to proceed to vote; (iii) voter given three stamped ballot papers to proceed

to the ballot booth for voting; and (iv) marking the voter’s finger with indelible ink. TEMCO reports show that all voters waited in a queue for their turn to vote. However, in many cases expectant mothers, the elderly, disabled and women with babies were given priority and they did not need to queue.

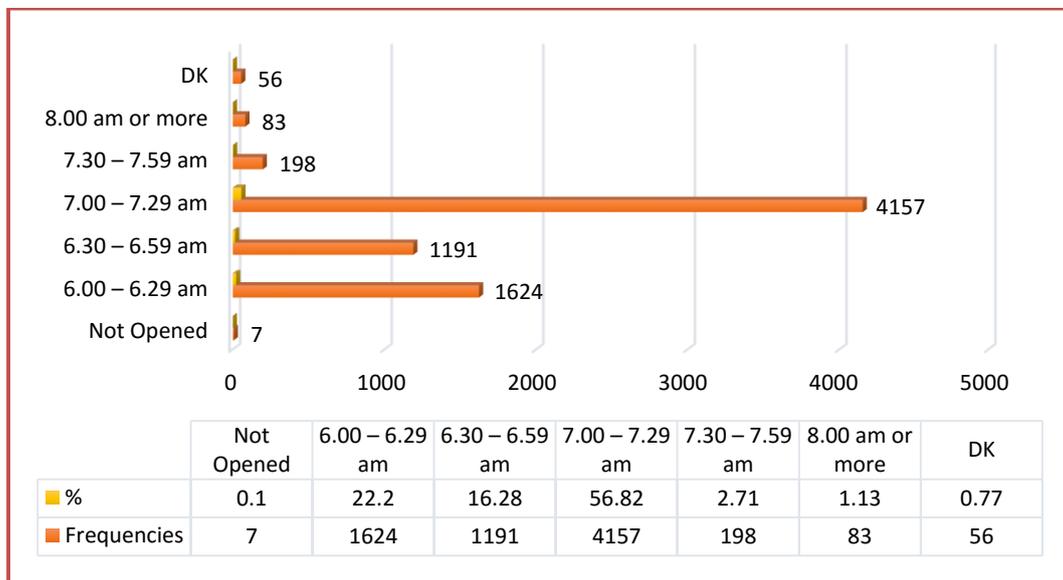


Figure 9.1: Opening Time for the Polling Stations  
Source: TEMCO Observers’ Field Reports, 2015

Furthermore, TEMCO observers’ reports show that overall, it took most voters between one and five minutes to cast a vote (from the time they were attended by the Presiding Officer up to the completion of the actual voting itself), as shown in

Figure 9.2.

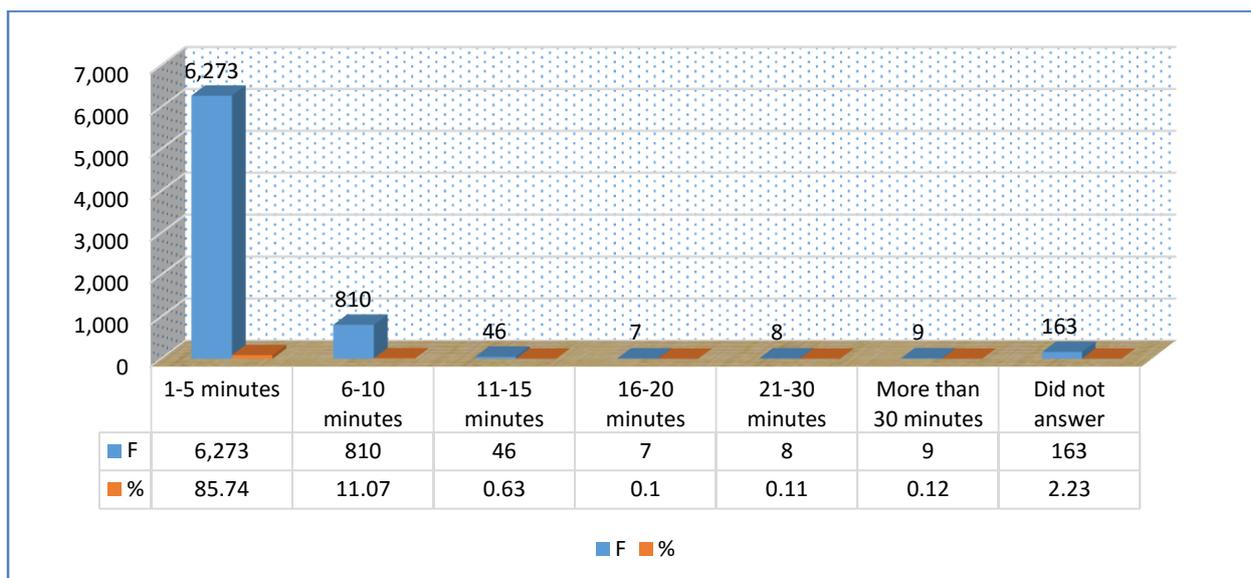


Figure 9.2: Time Taken for each Individual Voter to Vote  
Source: TEMCO Observers’ Field Reports, 2015

TEMCO reports also show that despite the requirement for checking voters' ID before being allowed to vote, the identification of Voters' ID faced a number of challenges as shown in Table 9.3.

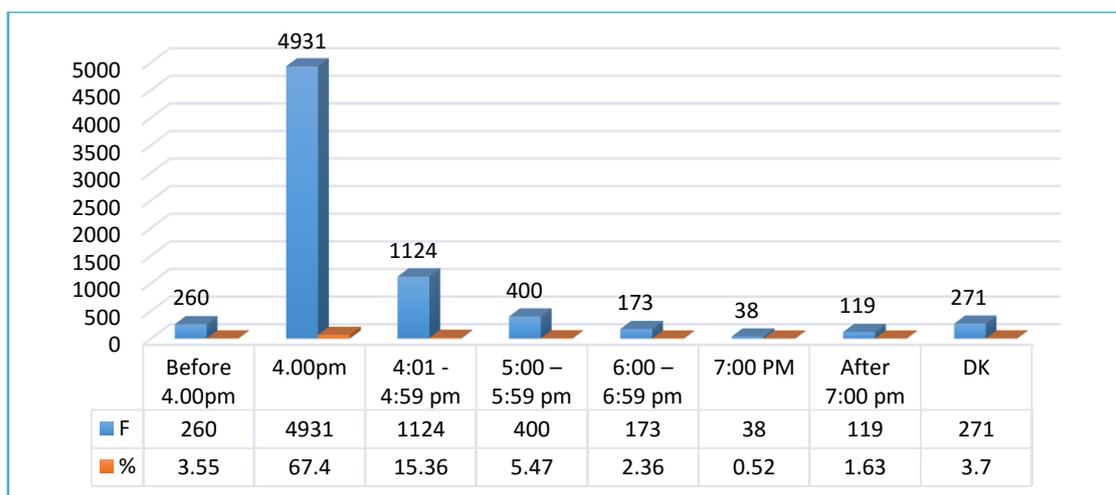
*Table 9.3: Challenges in Voters' Identification*

Challenges	Percent			
	Yes	No	Missing	Total
Voters with missing names in the voters' register allowed to vote	2.5	31.2	66.25	100
People with no Voter ID were allowed to vote	0.5	31.6	67.85	100
Voters with names in voters' register and IDs not allowed to vote	1.07	30.0	68.92	100
Voters not checked for signs of ink before allowed to vote	4.7	26.3	68.89	100

Source: TEMCO Observers, Field Reports, 2015

### 9.2.2 Closing of Polling Stations

TEMCO observers' reports show that the majority of the polling stations were officially closed at 4.00 p.m., which was the official closing time, as indicated in Figure 9.3.



*Figure 9.3: Closing Time for the Polling Stations*

Source: TEMCO Observers, Field Reports, 2015

Broadly, the voting process proceeded smoothly in most polling stations observed by TEMCO. However, there were a few cases where some polling stations were temporarily closed due a number of reasons, as shown in Table 54. Out of 7,316 polling stations observed by TEMCO, 56 polling stations (0.8%) were temporarily closed because of clashes between rival party fans; 222 polling stations (3%) because of inadequacy of election materials; and 37 polling stations (0.5%) because of adverse weather.

As required by electoral law, many prominent political parties deployed party agents in polling stations. TEMCO observers noted the dominance of party agents from CCM and CHADEMA/UKAWA. Out of the 6,579 polling stations, CCM had 6,475 (98%), CHADEMA/UKAWA had 6,351 (97%), and other parties had a total of 4,585 (70%).

### 9.3 Policing and Security Arrangements on the Election Day

TEMCO observers' reports show that in most of the polling stations police officers or security personnel were present. This security arrangement contributed to the peaceful conclusion of the voting process. The reports also show that out of 7,316 polling stations, 6,416 polling stations (87.7%) had between one to three uniformed police officers.



*The Inspector General of Police Mr. Ernest Mangu*

However, reports show that in some places security presence was excessive, which in a way 'threatened' some voters, as reported in Sengerema Constituency where it was reported that an excessive number of armed police officers were deployed on the polling day. Similarly, in Nyamagana Constituency municipal offices where votes were being tallied, excessive police officers guarded all the main gates to the building, hence blocking entry to people who might have needed other services.



*A security Officer dressed in Uniform attentively following voting counting in one of the polling stations in Nyamagana.*



*Five police vehicles patrolling the streets on the Election Day in Sengerema constituency*

### 9.4 Performance of Electoral Staff on the Election Day

According to TEMCO observers' field reports, the performance and conduct of NEC was largely satisfactory, as exemplified by sufficient levels of preparedness in the conduct of the 2015 election. This was largely evident in the following: (i) timely procurement and

distribution of election materials; (ii) recruitment, training and deployment of electoral staff; (iii) provision of regular press updates on electoral preparations, including the challenges that NEC faced; (iv) working closely with other election stakeholders throughout the election period; and (v) timely declaration of presidential election results as planned.

It is important to note that the generally impressive performance of NEC electoral staff was reinforced by the competency of the key operational staff in the management of elections, as shown through their education qualifications in Table 9.4.

*Table 9.4: Qualifications of Returning Officers*

<b>Education qualification</b>	<b>Frequency</b>	<b>Percent</b>
Primary education	1	0.7
Certificate of Secondary education	9	6
Advanced certificate of secondary education	7	4.7
Diploma	11	7.3
Post-graduate diploma	9	6
University degree	96	64
Postgraduate degree	10	6.6
Missing	7	4.7
<b>Total</b>	150	100

Source: TEMCO Observers' Field Reports, 2015

As shown in Table 9.4, the majority of Returning Officers (70%) were university graduates and 7% with post-graduate level training. Only about 18% had secondary education.

## **9.5 Vote Counting and Display of Results**

According to TEMCO observers' reports, vote counting in the majority of the polling stations took place in the same venue where voting was undertaken. Out of 7,316 polling stations, 6,961 polling stations (95.1%) did the vote counting at the same venue of voting and only 49 polling stations (0.67%) counted votes elsewhere. Furthermore, TEMCO observers' reports show that in the majority of the counting stations, the vote counting exercise was witnessed by key electoral stakeholders as indicated in Table 9.5.

*Table 9.5: Presence of Key Electoral Stakeholders during the Vote Counting Process*

<b>Stakeholders present at the vote counting station</b>	<b>F</b>	<b>%</b>
Presiding officer alone	163	2.2
Presiding officer and police officer	352	4.8
Presiding officer, police officer and party agents	6,624	89.7
Others	245	3.3
<b>Total</b>	7,384	100.0

Source: CEMOT Observers' Field Reports



*Vote counting in one of the Polling stations in Nyamagana*



*Electoral Staff sealing the ballot boxes after vote counting in one of the polling stations in Nyamagana Constituency.*

The findings from the TEMCO observers' reports further show cases where recounting of votes was done in some polling stations. Out of 7,316 vote counting stations observed by TEMCO, vote recounting had to be done in 1,834 stations (25%). Reports also show that few complaints had been registered before the results were announced noted in 177 vote counting stations (2.4%) as shown in Table 9.6.

*Table 9.6: Vote Recounting and Complaints Registered before the Announcement of Results*

<b>Vote counting repeated</b>	<b>F</b>	<b>%</b>	<b>Complaints registered</b>	<b>F</b>	<b>%</b>
Yes	1,834	25.1	Yes	177	2.4
No	5,198	71.1	No	6,790	92.8
Missing	284	3.8	Missing	349	4.8
Total	7,316	100.0	Total	7,316	100.0

Source: TEMCO Observers, Field Reports, 2015

TEMCO observers' reports show that out of 7,316 counting stations observed in 6,756 counting stations, election results were displayed outside the counting station immediately after the conclusion of the counting exercise, as required by the electoral law. Reports show that in only 43 counting stations (0.6%) election results were not displayed as shown in Table 9.7.

*Table 9.7: Display of Election Results at Vote Counting Stations*

<b>Election results posted at the polling station</b>	<b>F</b>	<b>%</b>
Yes	6,756	92.3
No	43	0.6
Missing	517	7.1
Total	7,316	100

Source: TEMCO Observers' Field Reports, 2015

## 9.6 Declaration of Election Results

Declaration of presidential, parliamentary and councillorship election results is a preserve of NEC, Returning Officers and Assistant Returning Officers. In the same vein, presidential election results are aggregated nationally after being collected from all constituencies. Parliamentary election results are aggregated at the constituency level and those of councillorship election at the ward level.



*Outgoing President Kikwete congratulates his successor Hon. John Pombe Magufuli*

On 29th October, 2015, four days after the Election Day, NEC Chairman, Justice (rtd) Damian Lubuva declared Dr. John Pombe Magufuli, the CCM presidential candidate, the President of the United Republic of Tanzania, having garnered 8,882,935 votes (58.46%). Mr. Edward Ngoyai Lowassa, CHADEMA's presidential candidate garnered 6,072,848 votes (39.97%) and was first runner-up. Election results for the eight presidential candidates are shown in Table 9.8.

*Table 9.8: Tanzania Presidential Election Results*

Candidate	Political Party	Votes	%
<b>John Pombe Magufuli</b>	Chama Cha Mapinduzi	8,882,935	58.46
<b>Edward Ngoyai Lowassa</b>	Chama cha Demokrasia na Maendeleo	6,072,848	39.97
<b>Anna Elisha Mghwira</b>	Alliance for Change and Transparency	98,763	0.65
<b>Lutalosa Yembe</b>	Alliance for Democratic Change	66,049	0.43
<b>Hashim Rungwe Spunda</b>	Chama cha Ukombozi wa Umma	49,256	0.32
<b>Machmillan Elifatio Lyimo</b>	Tanzania Labour Party	8,198	0.05
<b>Janken Malik Kasambala</b>	National Reconstruction Alliance	8,028	0.05
<b>Fahmi Nassoro Dovutwa</b>	United People's Democratic Party	7,785	0.05
<b>Invalid/blank votes</b>		402,248	–
<b>Total</b>		15,596,110	100

Source: NEC, 2015

With regard to parliamentary elections, as shown in Table 9.9, five political parties managed to win parliamentary seats, namely CCM, CHADEMA, CUF, NCCR-Mageuzi and ACT-Wazalendo. Of the 264 constituencies, CCM won in 195 constituencies (73.9%) CHADEMA won 35 constituencies (13.3%) and CUF won 32 (12.1%). NCCR-Mageuzi and ACT-Wazalendo each won a single seat (0.4%). Political parties in the UKAWA coalition, namely CHADEMA, CUF and NCCR-Mageuzi combined won in 68 constituencies (25.7%).

*Table 9.9: Parliamentary Election Results, 2015<sup>15</sup>*

Party	Votes	Seats		
		Elected	Women	Total
<b>CCM</b>	8,495,488	195	66	261
<b>CHADEMA</b>	4,720,881	35	37	72
<b>CUF</b>	1,274,911	32	10	42
<b>ACT-Wazalendo</b>	N.A	1	0	1
<b>NCCR-Mageuzi</b>	N.A	1	0	1
<b>Other political parties</b>	N.A	0	0	0
<b>Total</b>	N.A	265	113	378

Source: TEMCO observers' Filed Reports, 2015

### 9.7 Voter Turnout

Compared to the 2010 elections in Tanzania, the turn-out for the 2015 election was generally impressive. While in the 2010 elections the turnout was about 43% of the registered voters, the turnout for the elections 2015 was 67.3%, an increase of 24.3%. This significant increase in the turn-out could be explained by a combination of many factors: (i) stiff competition between CCM and the political parties forming the UKAWA coalition; (ii) desire for change in all spheres of life; (iii) a relatively higher number of first time voters who wanted to exercise their right to select leaders; (iv) an increasing awareness among the electorate on the civil and political rights; and (v) end of term of the incumbent president.

Notwithstanding the relatively impressive voter turnout, a good number of registered voters, about seven million did not turn out to vote on the Election Day. TEMCO observation mission views this as a national concern and food for thought for all election stakeholders to design strategies for raising political competency, consciousness and cognition of the electorate.

### 9.8 Post-Election Developments and Episodes

According to reports of TEMCO observers, in many polling stations the situation was one of calmness and jubilation, especially after the display and declaration of election results at different levels, as indicated in

<sup>15</sup>Excluding eight constituencies which postponed parliamentary elections.

Table 9.10.

*Table 9.10: Peoples' Reaction of Results*

<b>Reaction</b>	<b>Frequency</b>	<b>Percent</b>
<b>Celebrating, singing and dancing</b>	117	78.0
<b>Generally calm and observant</b>	25	16.7
<b>In fear of outbreak of violence</b>	4	2.7
<b>Angry and violent</b>	1	0.7
<b>Results released when people had left</b>	1	0.7
<b>Missing</b>	2	1.2
<b>Total</b>	150	100.0

Source: TEMCO observers' Field Reports

As shown in

Table 9.10, out of 150 constituencies, 117 received the election results with singing and jubilation. Generally, the atmosphere remained calm throughout the counting period. Cases of angry reactions and violence were insignificant. The general level of acceptance of election results is also shown by reports which show that out of 150 constituencies observed by TEMCO only in 14 (9.3%) candidates filed petitions against election results, leaving the majority of observed constituencies (135) equivalent to 90% satisfied.

However, CHADEMA and other political parties in the UKAWA coalition refused to accept the presidential election results. The CHADEMA presidential candidate made a number of public statements claiming that CCM and the government had robbed him of victory. Ironically, while CHADEMA refused to recognise the presidential election results, it accepted the parliamentary results. CHADEMA boycotted the ceremony to declare the winner of the presidential election, the swearing in of the president elect, and the inauguration of the 11th Parliament by President Dr. John Pombe Magufuli on 11th November 2015.



*President-elect Dr. John Pombe Magufuli being sworn-in by the Chief Justice to become the 5th President of the United Republic of Tanzania*

On the day of the inauguration of the parliament, the opposition political parties, particularly those forming UKAWA, walked out of the Parliament as a sign of their non-recognition of the presidential results as well as a sign of protesting the presence of the Zanzibar President, Dr. Ali Mohamed Shein, whose continued stay in power, they claimed, was unconstitutional.



*President John Pombe Magufuli holds the national symbols after the swearing ceremony*



*President and Commander-in-Chief of the armed forces inspects a guard of honour after the swearing ceremony*



*Peaceful succession: What a lesson for African democracies 1985-2015, three retired presidents on a light moment after President Magufuli was sworn in, to become the fifth president of the United Republic of Tanzania.*



*A section of Heads of State from neighbouring countries witnesses the swearing ceremony of Tanzania 5th President.*

CHADEMA's 2015 presidential candidate, Mr. Edward Lowassa, said that his party was re-strategizing with the aim of winning the 2020 elections. He called for an end of the Zanzibar political gridlock saying that "the winner should be declared." After the new president was sworn-in, Mr. Lowassa kept silent and went out of the public limelight. He was quoted by a local Newspaper saying that "he refrained from mobilizing his supporters to reject the results in order to avoid throwing the country into a bloodshed". He also asked Tanzanians to demand a new constitution that would allow them to use the judiciary to challenge election results at all levels.



*CHADEMA's presidential candidate in the 2015 elections speaks with his Kariakoo-based supporters, i.e. "Team Mabadiliko" in the post-election period.*

### 9.9 Parliamentary Election Petitions

The Tanzanian legal framework does not provide for the possibility of challenging presidential election results in the court of law. CHADEMA filed a complaint to NEC demanding a discontinuation of the announcement of presidential results, demanding for a re-run of the same in Mainland Tanzania. However, NEC told CHADEMA that the claimed irregularities should have been submitted to the Returning Officers. NEC therefore dismissed the charges and continued to announce the presidential results as planned.

Regarding the parliamentary election results, several cases were filed at the high court by political parties, candidates and voters, as shown in Table 9.11.

*Table 9.11: Petitions Filed at the High Court against Parliamentary Election Results*

	<b>Name of Plaintiff</b>	<b>Political Party</b>	<b>Constituency</b>
<b>1</b>	Frederick Mwakalebela	CCM	Iringa Urban
<b>2</b>	Murtaza Mangungu	CCM	Kilwa North
<b>3</b>	Stephen Kiruswa	CCM	Longido
<b>4</b>	Juma Manguya	CCM	Kilwa South
<b>5</b>	James Lembeli	CHADEMA	Kahama
<b>6</b>	Ezekiel Wenje	CHADEMA	Nyamagana
<b>7</b>	Benedicto Mutungirehi	CHADEMA	Kyerwa
<b>8</b>	Emmanuel Godfrey	CHADEMA	Njombe
<b>9</b>	William Mungai	CHADEMA	Mafinga
<b>10</b>	Zella Abraham	CHADEMA	Mbeya Rural
<b>11</b>	Fanuel Mkisi	CHADEMA	Vwawa
<b>12</b>	Amina Mwidau	CUF	Pangani
<b>13</b>	David Kafulila	NCCR-Mageuzi	Kigoma South

Source: High Court of Tanzania, 2016

## 9.10 Overall Assessment of the Election Day Activities

Overall, the polling day activities were carried out smoothly and within the prescribed laws, rules and regulations. Voting materials were adequately supplied in good time. TEMCO observers' reports show that Election Day activities were undertaken as planned notwithstanding few shortcomings which did not significantly affect the voting and vote counting processes as shown in Table 9.12.

*Table 9.12: Assessment of the Election Day Activities*

Nature and character of voting and vote counting	Marks and grades	Frequency	Percentage
The voting and vote counting processes had very few irregularities which did not at all affect the overall results of the elections. Overall, voting and vote counting processes were clean, free and fair.	A (80 – 100%)	5,630	76.6
Voting and vote counting were generally free and fair but still had a few irregularities which in their totality did not affect in any meaningful way the final outcome of the election and did not work against the fortunes of stakeholders (political parties, candidates and voters).	B (60-69%)	1,595	21.7
The voting and vote counting processes permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity, and there was favouritism that worked against fortunes of some candidates and their parties.	C (50-59%)	117	1.6
Voting and vote counting were marred by numerous flaws related to non-compliance of some electoral laws, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40-49%)	7	0.1
Voting and vote counting were disrupted or mismanaged to the extent that it was not possible to understand what happened.	E (1-39%)	0	0.0
The conduct of voting and vote counting was marred by severe irregularities. There were so many incidences of violence, corruption and provocation to such an extent that some candidates decided to withdraw from the election or took other measures. The polling day was an aborted process.	F (0%)	1	0.0
Total		7,350	100

Source: TEMCO Observers' Field Reports, 2015

## 9.11 Conclusion and Recommendations

This section concludes the chapter on voting, vote counting and declaration of results, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### 9.11.1 Conclusion

Generally, the findings from TEMCO observers' reports show that the 2015 Election Day activities, i.e. voting, vote counting and declaration of results were successfully concluded. Election materials were supplied to all constituencies in advance and they reached the polling

stations as planned. Out of 264 constituencies, elections were postponed in six constituencies following the passing away of contestants and in two constituencies (0.75%) because of problems with ballot papers. Considering councillorship elections, out of 3,957 wards, election was postponed in 26 wards (0.65%) because of problems with ballots papers and in eight wards because of death of contestants. TEMCO observers' reports show that the Election day activities were generally carried out successfully with only a few irregularities which did not compromise the credibility, freeness and fairness of the Election Day activities.

### ***9.11.2 Recommendations***

Following from the observers of TEMCO LTOs and STOs on the Election Day activities named earlier, the following recommendations are made:

- (i) There is a need for election stakeholders to further strengthen voter education as a way of elevating voter turn-out. This is because despite the achievement of over 67% voter turn-out, 33% of Tanzanians (seven million) who were registered to vote did not turn out to vote.
- (ii) There is a need for election stakeholders to focus further attention on actual education on the voting process so as to reduce the number of spoilt votes, which stood at 402,248 (2.58%) of the presidential votes.
- (iii) NEC needs to ensure that polling stations set-up is improved to ensure privacy of vote, is user friendly for people with special needs, other voters, election staff, election observers, political party agents and other stakeholders.
- (iv) NEC needs to ensure that polling stations are located in public buildings with acceptable standards. Where temporary structures are absolutely necessary, NEC should adopt a uniform structure that meets the minimum standards for privacy of voters, shelter, and security of the ballot papers.
- (v) NEC needs to ensure that election materials and equipment are of good quality especially lighting equipment, ink and rubber stamps.
- (vi) The government and NEC need to review the welfare of electoral staff working on the Election Day, including beefing up their pay package.
- (vii) NEC needs to take measures to update and improve the accuracy of the voters' register so as to reduce incidents of voters failing to locate their names on the Election Day.

## **CHAPTER 10**

### **PARADOX OF THE 2015 ZANZIBAR ELECTIONS**

#### **10.1 Introduction**

Zanzibar elections took place alongside the Union elections on 25th October 2015. In effect, voters in Zanzibar participated in two concurrent elections - for Zanzibar and United Republic of Tanzania - casting a total of five ballots, compared to three for their Mainland Tanzania counterparts. Zanzibaris voted to elect the Zanzibar President, Members of the House of Representatives and councillors for the Zanzibar elections. This was in addition to the Union President and Members of Parliament for Union elections. The 2015 election in Zanzibar were never conclusive, after the annulment of election results by the Zanzibar Electoral Commission. This chapter analyses the conduct of the 2015 Zanzibar elections and the ensuing stalemate. It includes a brief historical background to shed some lights on the nature of electoral politics in Zanzibar which has been characterised by stiff competition, refutation of election results and violence. The second section examines the role of the Government of National Unity in the 2015 Zanzibar elections. The third section analyses the powers and relationship of ZEC and NEC, and external interventions to the Zanzibar conflict in the wake of the cancellation of election results. Finally, the overall assessment of the Zanzibar electoral process is made on the basis of the 2015 TEMCO Observation Mission deployed in Zanzibar at all stages of the electoral process.

#### **10.2 Pre-Independence Electoral Politics in Zanzibar**

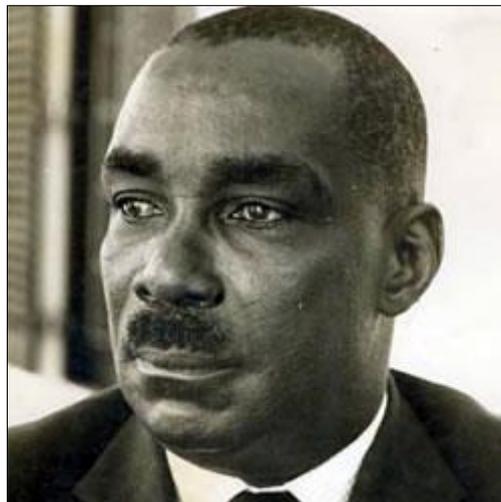
Competitive electoral politics began in Zanzibar in the 1950s, which could be considered as the peak of independence movements in the islands. The dominant political parties were the Zanzibar Nationalist Party (ZNP), which was formed in 1955; the Afro-Shiraz Party (ASP), founded in 1957; the Zanzibar and Pemba People's Party (ZPPP) established in 1959 and the Umma Party founded in 1963. The pre-independence elections were characterised by racial and class divisions which also defined the followership of these political parties. As such, the elections were highly competitive. In 1957 six seats of the Legislative Council (LEGCO) were contested. This election attracted ruthless competition mainly from ZNP and ASP, but it also included the participation of ethnic and religious associations. ASP won five of the six LEGCO seats and the remaining seat went to the Indian supported religious association. In January 1961, an independent election was held where 22 seats were at stake. ASP scooped 10 seats against nine seats won by its arch rival ZNP and three by ZPPP. The minority ZPPP became instrumental in the election after two of its seats went to ZNP and the other to ASP. Thus ASP and ZNP tied up with 11 seats each. The election ended in a deadlock as no clear winner emerged.

In an attempt to avoid the deadlock in the elections that followed, the British colonial administration decided to carve a new constituency in Mtambile, Pemba so as to have an odd number of constituencies. A re-run election was scheduled for June 1961. ASP retained its 10 seats, ZNP reserved its 10 seats, and ZPPP won only 3 seats. Two of the ZPPP's seats went to ZNP and one to ASP. ZNP/ZPPP alliance emerged victorious with 12 seats against the ASP's 11 seats. According to Ramadhani (2000), "the June 1961 election was followed by bloody riots that left sixty-five Africans and three Arabs dead and at least 350 people injured". The

post-electoral violence prompted a call for a constitutional conference, which was held in Lancaster, UK, in 1962. While the ASP pleaded for a delay in granting independence, the ZNP/ZPPP coalition, which emerged victorious in the elections called for the immediate granting of independence.

The British colonial administration called for another election in 1963 but they created eight new constituencies. In this election ASP won 13 seats, ZNP 12 seats, and ZPPP 6 seats. For some analysts, the manner in which the new constituencies were carved would obviously give victory to the ZNP/ZPPP coalition (Ramadhani, 2000:60; Othman, 2006: 125). It is obvious that despite the fact that ASP had 54.21% of the popular votes in the 1963 elections, it got only 13 out of the 31 seats. While the ZNP/ZPPP alliance emerged victorious, the manner in which these constituencies were created gave the ASP supporters a reason to suspect gerrymandering and a lack of good will on the side of the British election managers. However, Zanzibar was granted independence on 9th December 1963, with the ZNP/ZPPP coalition forming the government. Sultan Jamshid became the first leader of the independence government.

With great conviction that the 1963 election was not legitimate and that the ZNP/ZPPP had no intention of incorporating ASP into the coalition government, the African group engineered a revolution in January 1964 that installed the ASP into power.



*Leader of the Revolution and First President of Zanzibar the late Abeid Amani Karume*

Abeid Karume became the Zanzibar President and Chairman of the Revolutionary Council, composed of 30 members. Any hope of counter-revolution diminished after Zanzibar united with Tanganyika on 26 April 1964. Zanzibar became a semi-autonomous part of the Union with its government. After the Revolution, the constitution was suspended and political parties banned with an exception of the ruling ASP. Karume announced that there should be no elections in Zanzibar for at least 50 years the Revolution to consolidate and to wipe away the legacy of centuries of oppression for Africans (Mapuri, 1996:66).

### 10.3 Re-Introduction of Multiparty Politics

Despite the fact that single party elections were held in 1980, 1985 and 1990 (after ASP had merged with the Mainland based TANU to form CCM in 1977) competitive electoral politics returned only after the re-introduction of multi-party politics in 1992. This year saw the return of politicians namely Maalim Seif Sharif Hamad, Hamad Rashid Mohammed, Shaaban Khamis Mloo and Ali Haji Pandu, all former top level officials of the revolutionary regime, who were sacked from CCM in 1988. These politicians founded an opposition party the Civic United Front (CUF) that became the major rival to CCM.

The first multiparty elections were held on 22nd October 1995. The competition was stiff and the Zanzibar Electoral Commission (ZEC) announced the CCM presidential candidate, Salmin Amour as the victor in the elections; with 50.2% against the CUF's candidate Seif Sharif Hamad, with 49.8%. The presidential results were bitterly contested. CCM won 26 seats and CUF won 24 seats of the Members of the House of Representatives.

Despite the fact that CUF was dissatisfied with the electoral results, it could not contest the results in the court of law because Section 37 of the Zanzibar Constitution prevented them from mounting a legal challenge. CUF resorted to unconventional means such as mass demonstrations and disrupting the activities of the House of Representatives to express its discontentment, and demand for justice. The Commonwealth Secretary General Chief Emeka Anyaoku and his special envoy Dr. Moses Anafu intervened to resolve the conflict. A Memorandum of Understanding was signed by CCM and CUF in April 1999 in Dar es Salaam, and the final peace accord was signed in June 1999, dubbed as Muafaka I. The centre of attention in Muafaka I was democratic reforms in an attempt to create a level playing field for political parties in elections. Specifically, the accord touched on, inter alia, the impartiality and independence of the election management body ZEC, the need to create a permanent voters' register, and review of the constitution and electoral laws (Mbunda, 2010:11-12).



*Party Secretary Generals, CCM's Phillip Mangura (left) and CUF's Sharif Hamad signing Muafaka I in 1999- Dar es Salaam.*

In the 2000 elections, the CCM Presidential candidate Amani Karume won with a huge margin of 67% against 33% for Seif Sharif Hamad, CUF's presidential candidate. CCM won a total of 34 seats in the House of Representatives against 16 seats won by CUF. CUF refused to accept the results and to recognise Amani Karume as a legitimately elected president, and Zanzibar fell back into a political stalemate. On January 26th and 27th CUF organised nationwide demonstrations protesting against the election results. Police clashed with the demonstrators, shooting in the process live ammunition which resulted into deaths and injury. After these incidences, CCM and CUF were forced into negotiations which culminated into a second peace agreement known as Muafaka II. One of the achievements of Muafaka II was the establishment of a permanent voter register (PVR) in Zanzibar. In the 2005 elections, the CCM presidential candidate Amani Abeid Karume emerged victorious again, garnering 53.2% of votes cast against 46.1% for Seif Sharif Hamad. CCM had also won 30 seats against 19 seats won by CUF. These election results were also refuted by CUF which claimed that ZEC had doctored the election results in favour of CCM.

#### **10.4 Government of National Unity**

The idea of the Government of National Unity was born out of the realisation that the winner-takes-all political system was the source of intense competition and refutation of the electoral results by the loser. After the disputed 2005 Zanzibar presidential elections, CCM and CUF entered into formal negotiations from 1st February 2007 in the capital city Dodoma, trying to devise a power sharing deal. The talks continued secretly for more than a year until 17th March 2008, when they broke down.



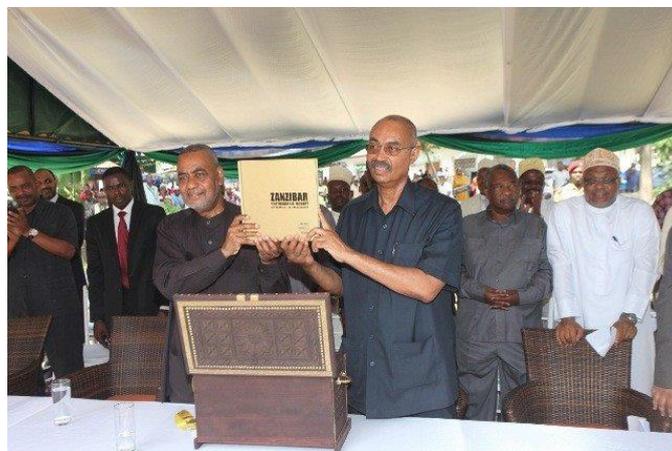
*Zanzibar President (retired) welcomes Hon. Seif Sharif Hamad to the Statehouse, paving the way for GNU*

Reports indicated that the parties had agreed, in principle, to share power but did not agree on the time the agreement should be implemented. Out of this quagmire, it was surprising that after almost eight months of silence an extraordinary meeting between President Amani Karume and Maalim Seif Sharif Hamad took place on 5th November 2009 paving the way for the implementation of the power-sharing agreement known locally as Maridhiano (Killian & Mbunda, 2010:125).



*Zanzibar President (retired) welcomes Hon. Seif Sharif Hamad to the Statehouse, paving the way for GNU*

Maridhiano engineered a constitutional amendment which, among other things, instituted a requirement for a referendum to formalise the Government of National Unity (GNU) in Zanzibar. The referendum was held in July 2010 with 66.4% of the voters in favour of formation of the GNU, after the 31st October 2010 general elections.



*Maridhiano document for power sharing being unveiled by the two principals*

In the 31st October 2010 general elections, the CCM presidential candidate Ali Mohammed Shein won by 50.11% against 49.14% for Seif Sharif Hamad. In the House of Representatives, CCM scooped 28 seats against CUF's 22 seats. This result necessitated the constitutional creation of the Government of National Unity. President Ali Mohammed Shein appointed the CUF Secretary General Seif Sharif Hamad as First Vice President and CCM's Seif Ali Iddi as the Second Vice President. The Government of National Unity was composed of 19 Ministers and 7 Deputy Ministers as follows: CCM were in charge of 11 ministries namely Ministry of State, Office of the President; Ministry of Finance; Ministry of State, President's Office Regional Administration and Special Departments; Ministry of State, Second Vice President's Office; Ministry of Lands, Housing, Water and Energy; Ministry of Empowerment, Social Welfare, Women and Children; Ministry of Education and Vocational Training; Ministry of State, President's Office Labour and Public Services; Ministry of Agriculture and Natural Resources; and two other ministries without portfolio.

CUF, on the other hand, were in charge of 8 ministries namely Ministry of State, Vice President's Office; Ministry of Constitutional Affairs and Justice; Ministry of Health; Ministry of Infrastructure and Communications; Ministry of Livestock and Fisheries; Ministry of Trade Industries and Marketing; Ministry of Information, Culture, Tourism and Sports; and one ministry without portfolio. There were a total of 7 Deputy Ministers whereas CCM had four: Deputy Minister of Infrastructure and Communications; Deputy Minister of Information, Culture, Tourism and Sports; Deputy Minister of Trade, Industries and Marketing; and Deputy Minister of Livestock and Fisheries. On the other hand, CUF had 3 Deputy Ministers, namely Deputy Minister of Education and Vocational Training; Deputy Minister of Lands, Housing, Water and Energy; and Deputy Minister of Agriculture and Natural Resources.

#### ***10.4.1 Pluses and Minuses of the Government of National Unity***

Many advantages were attributed to the power-sharing deal under the name of the Government of National Unity in Zanzibar. To begin with, the GNU was seen as a mechanism to alleviate the mistrust that was rife in the politics of Zanzibar and to open a new chapter of cooperation between CCM and CUF. As such, the two formerly rival parties began to work together when President Shein appointed CUF's Seif Sherif Hamad as the First Vice President. The President, the First Vice President, and the Second Vice President Ambassador Seif Ali Iddi then sat together to pick a cabinet composed of 19 Ministers and 7 Deputy Ministers from both parties.



*The two principals in Zanzibar politics during power sharing memorable moments*

Secondly, in the absence of bitter rivalry, ZEC was able to competently and successfully manage the 2010 general elections to the acclaim of both international and local observers, hardly three months after the referendum (TEMCO, 2010:109). And for the first time, the loser of the Zanzibar presidential elections, Seif Sharif Hamad, accepted the outcome even when the results showed a very little margin between the victor and the loser.

Nonetheless, by its design, the Government of National Unity has not been able to cultivate long lasting trust between the two parties in Zanzibar. The power sharing scheme is constitutionally only attached to the appointment of cabinet ministers and deputy ministers in accordance with the proportionality of the seats in the House of Representatives (Article 42). Other substantial powers of political appointment such as Permanent Secretaries, Directors, as well as Regional and District Commissioners are left solely to the President who is protected by Article 52 of the Constitution not to be obliged to follow any advice in the execution of his duties. The First Vice President, on the other hand, is not given any specific constitutional duties except as Article 39(5) states, to be the chief advisor to the president and help the president to perform any other duty assigned to him/her.

Consequently, the Government of National Unity did not go without complaints, calling for broadening the power-sharing scheme. For a more polarised Zanzibari society, the enjoyment of privileges between the supporters of the two parties is equally differentiated. As the parties prepared themselves for the 2015 general elections, winning the presidency was their main target in order to get the lion's share of the Zanzibar national cake. Coming second into the Zanzibar elections, automatically meant accepting to operate on the fringes, and helping the elected President of Zanzibar to fulfil his development vision.

## **10.5 Conduct of the 2015 Zanzibar Elections**

### ***10.5.1 Zanzibar Electoral Commission: Powers and Composition***

Elections in Zanzibar are managed by the Zanzibar Electoral Commission (ZEC). ZEC is established by Article 119(1) of the Zanzibar Constitution, composed of seven members. The ZEC Chairman is a presidential appointee from amongst persons who are qualified to be judges of the High Court, or any other respected person. Two members are appointed by the president

on the recommendation of the leader of government business in the House of Representatives and two other members are appointed by the president on the recommendation of the leader of opposition in the House of Representatives. The President of Zanzibar then appoints two more members - one from among the judges of the High Court and the other as he sees fit. Meanwhile, the Vice Chairperson of ZEC is selected by ZEC members amongst themselves.

The existence and mandate of ZEC is legally supported by the Constitution of Zanzibar, the Election Act No. 11 of 1984, and the Referendum Act No. 6 of 2010. ZEC is therefore empowered to manage the presidential elections, Members of the House of Representatives, local government elections, and to supervise referenda in Zanzibar. ZEC is also mandated to review electoral boundaries, manage and update the permanent voter register, as well as to promote and coordinate voter education in the islands.

### ***10.5.2 Relationship between ZEC and NEC***

The relationship between ZEC and the National Electoral Commission (NEC) must be put into perspective. The two electoral management bodies have their areas of jurisdiction. NEC manages the union presidential and parliamentary elections, as well as councillor elections in Mainland Tanzania, while ZEC manages Zanzibar elections. However, there is formal cooperation between these two electoral bodies in the management of elections. For instance, Article 74(13) of the Tanzania Constitution provides that NEC should consult ZEC from time to time in the discharge of its functions.

The practice of cooperation between NEC and ZEC has been such that voters for the Union Presidency and Members of Parliament who meet the residence requirement are registered by ZEC in its Permanent Voter Register. Section 12A (1) of the National Elections Act puts it more clearly that the Zanzibar law relating to the registration of voters and administration of the permanent voters register shall, *mutatis mutandis*, be applicable for the registration of voters for the parliamentary and Union presidential elections. In Zanzibar, NEC has to register voters who are not eligible to vote for the Zanzibar elections but can vote for the Union elections as per Article 12A (2) of the National Elections Act. Although same venues are used during the Election Day, ZEC and NEC occupy separate sides and a voter accomplishes the voting process for one election before being allowed to proceed to the other side to vote. They are even inked twice on different fingers. In this case, there are voters who go to the polling stations only to vote for the Union elections.

The relationship between NEC and ZEC received critical scrutiny after the nullification of the 2015 Zanzibar electoral results on the grounds of irregularities. One of the alleged irregularities was that ZEC had discovered a mismatch between the registered voters and the ballot papers as recorded from the polling stations, particularly in Pemba. This is a very serious allegation as far as the credibility and legitimacy of elections are concerned. But, the NEC Chairman, Judge Damian Lubuva was quick to dismiss the connection between the two bodies claiming that the two elections are managed under different jurisdictions. One of the often cited examples of the mandates and jurisdiction of the two bodies is that while ZEC had added four

constituencies in its elections, NEC maintained the previous 50 constituencies used in the 2010 elections in Zanzibar for Union elections.

### ***10.5.3 Voter Registration***

This stage of the electoral process is often marred with controversies. In June 2015 when the voter registration process through BVR was in progress, the CUF Ministers and Members of the House of Representatives stormed out of the budget session in protest of foul play during the registration process. In particular, a local newspaper, Mwananchi reported that CUF leadership alleged that red tape had been deliberately employed by the Revolutionary Government of Zanzibar to deny people of identification cards so that they could not be registered.



*Voter registration in Zanzibar*

### ***10.5.4 Demarcation of Boundaries***

According to Article 120 (4) of the Zanzibar Constitution, ZEC is empowered to review constituencies and to effect changes with regard to the number, names and boundaries, after every eight to ten years. As such, in July 2015, ZEC Chairman Jecha Salim Jecha announced to the press that ZEC had conducted a review of the boundaries in consultation with all political parties, government functionaries dealing with local government and regional administration, the police force, elected officials and CSOs. Consequently, four new constituencies were created in Urban West Region, namely Pangawe, Kijitoupele, Welezo and Mtopepo. Two constituencies were renamed: Mjimkongwe to become Malindi, and Kwamtipura to become Shaurimoyo. Shehias and wards were also reconfigured, which resulted into relocation of election centres and polling stations used in the 2010 elections. TEMCO data shows that 4.5% of LTOs reported that there was an increase of new councils in the whole of Zanzibar, indicating that a few new councils were added during the review process. The data indicates, however, that in six constituencies in Zanzibar, which is equivalent to 27.3%, some stakeholders complained against the decision of ZEC, to establish new constituencies. The main complaint recorded in LTOs narrative reports is that the new constituencies were added in Unguja Urban West Region, the CCM stronghold, and not in the CUF strongholds.



*ZEC Chairman addressing a Press Conference*

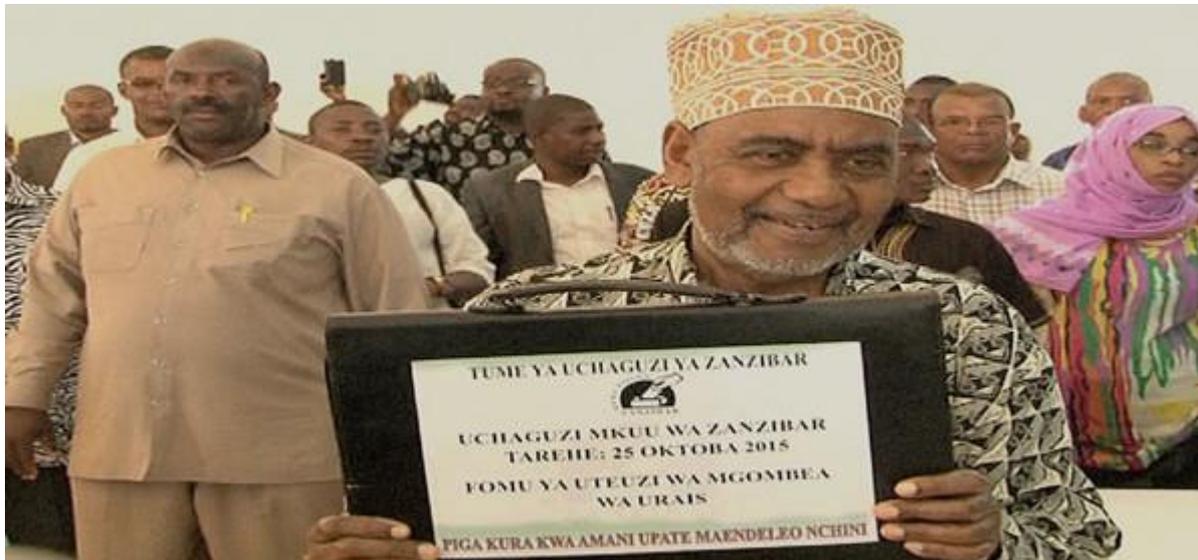
#### 5.5 Nomination of Candidates by Political Parties and ZEC

The Zanzibar elections are distinguished for having two major dominant rival political parties although in the 2015 election a total of 18 political parties participated. The major parties CCM and CUF attracted many aspirants of the political posts during the intra-party nominations. As such, they employed preferential voting in virtually all posts including women's special seats.



*CCM presidential candidate, Dr. Ali Mohamed Shein, collecting nomination forms from ZEC Chairman*

Nomination of women's special seats differed from one political party to another. The nomination processes within CCM and CUF were managed by the party's women wings at the regional and district levels. CCM and CUF largely used a preferential voting approach but the other parties a hybrid model of handpicking and preferential voting.



*CUF presidential candidate, Maalim Seif Sharif Hamad after collecting nomination forms from ZEC Chairman*

TEMCO LTOs noted that other political parties had a meagre following, such that very few people picked up nomination forms. Some other posts like councillor posts received very few or no contestants from the other parties. Generally, the LTOs reports indicate that the intra-party nomination process was smooth in virtually all political parties as they tried to avoid internal divisions. Data also indicates that a few complaints were recorded in CCM's HRs intra-party nominations (9.1%) and Councillors' intra-party nominations (4.5%). None was recorded in CUF's intra-party nominations.

With regard to nomination by ZEC, all candidates who were nominated by their respective parties were also nominated by the election management body. However, given the nature of competitions between CCM and CUF, objections were to be anticipated. Objections were recorded especially with regard to election of Members of the House of Representatives all of whom were lodged by CUF against CCM candidates. These objections were however dismissed by ZEC. TEMCO observers' reports show that intraparty nominations were generally held successfully with only minor shortcomings, as shown in

Table 10.1.

Table 10.1: Assessment of Intra-Party Nominations

Description	Marks and grades	Frequency	Percentage
Nominations had a few shortcomings which did not affect the overall outcome of the nomination process. The nomination process was clean and fair.	A (80 - 100%)	12	54.6
The nomination process was generally free and fair, but still had shortcomings which might have worked against fortunes of some candidates.	B (60 - 79%)	9	40.9
The nomination process permitted free participation of stakeholders (political parties, candidates and voters), but there were many instances of breach of nomination rules and regulations, with impunity and there was favouritism that worked against fortunes of some candidates.	C (50 - 59%)	1	4.5
Nominations were marred by numerous flaws related to non-compliance of some nomination rules, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40 - 49%)	0	0.00
Nominations were disrupted or mismanaged to the extent that stakeholders could accept the nominees.	E (1 - 39%)	0	0.00
The conduct of intra-party nominations was terrible. There was so much favouritism, foul-play and corruption to the extent that some candidates decided to withdraw from the preferential voting process or took legal or lodged formal complaints. Nominations were an aborted process.	F (0%)	0	0.00
Total		22	100.0

Source: TEMCO observers' Field Report, 2015

### 10.5.5 Electoral Campaigns

The major parties CCM and CUF had very elaborate manifestos encompassing, inter alia, economic, social and human rights issues. However, the competition between these two rival parties was largely expressed in their campaign slogans in an attempt to capture the attention of the electorate. One of the CUF's slogans, was "Mamlaka Kamili" which could be translated as reinstating Zanzibar's sovereign rights. This was interpreted by their rivals as breaking away from the United Republic of Tanzania. CUF's other slogan was related to making Zanzibar the Singapore of Eastern Africa - in economic terms. CCM on the other hand had many campaign slogans. Apart from "Unity is Victory", CCM Zanzibar also had "Mapinduzi Daima" which could be interpreted as hailing the revolution forever.

The campaign rallies were not without controversy. CCM, for example, took the usual hardliners' stance against the rival party CUF. It is reported by TEMCO observers that the CCM Urban West, Regional Chairman Spoke unwaveringly at the Fuoni Kibonde Mzungu campaign rally in Dimani Constituency that CUF was basically the ZNP of 1950s and 1960s, and that they were not prepared to relinquish power to the same people they had overthrown fifty years ago. This party official also added that CCM was not prepared to let go the

revolutionary government for a mere “piece of paper”- referring to a ballot paper. Also, as noted by TEMCO observers the CCM candidate for the post of House of Representative Dr. Mwinyihaji Makame said unequivocally at a campaign rally at Fumba that Maalim Seif Sharif Hamad, the CUF presidential candidate would never rule Zanzibar in his life time.

Incidences of racism and ethnicity were recorded by TEMCO observers, but not to a significant extent. For example, of the 22 observations made in Zanzibar, 18.2% reported to have recorded complaints related to use of ethnicity in connection with campaign rallies. One negative spiral of events which was common is destruction of campaign materials such as posters and placards. For example, data obtained from TEMCO shows that of the 22 observers deployed in Zanzibar 54.5% reported to have seen posters that had been vandalised. It is important to note, however, that despite the provocative pronouncements, the campaign meeting for both parties ended up peacefully.

As shown in Table 10.2, reports of TEMCO observers show that the electoral campaigns were generally conducted peacefully and the incidents noted were minor and could not in any significant way have affected the campaigns’ credibility, freeness and fairness.

*Table 10.2: Assessment of Electoral Campaign*

<b>Description</b>	<b>Marks and grades</b>	<b>Frequency</b>	<b>Percentage</b>
The electoral campaigns had very few irregularities which did not at all affect the overall results of the elections. Overall, the campaigns were clean, free and fair.	A (80 - 100%)	8	36.4
The electoral campaigns were generally free and fair but still had a few irregularities which in their totality did not affect in any meaningful way the final outcomes of the election and did not work against the fortunes of stakeholders (political parties, candidates and voters).	B (60 - 79%)	13	59.1
Campaigns permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity and there was favouritism that worked against the fortunes of some candidates and their parties.	C (50 - 59%)	0	0.0
Campaigns were marred by numerous shortcomings related to non-compliance of some electoral laws, regulations and electoral code of conduct, management problems incidents of intimidation and favouritism.	D (40 - 49%)	1	4.5
Campaigns were disrupted or mismanaged to the extent that it was not easy to understand what happened.	E (1 - 39%)	0	0.00
The conduct of campaigns was marred by acute irregularities. There were so many incidents of violence, sabotage, corruption, and provocation to such an extent that some candidates withdrew from the elections or took other measures. Election campaigns were an aborted process.	F (0%)	0	0.00
<b>Total</b>		<b>22</b>	<b>100</b>

Source: TEMCO Observers’ *Field Report*, 2015



*CUF Presidential rally at ChakeChake*

CCM and CUF employed different campaign strategies. According to LTOs reports, political parties, especially CUF and CCM used every means to ensure that their campaign rallies were well attended. As such, people were ferried by bus from one point to another, while art groups, music and other entertainment groups were used to attract as many supporters as possible. This could be interpreted as a psychological strategy in an attempt to show off their massive support from the electorate against rival political parties. The major parties in Zanzibar also used a very loud public address system.



*A lorry carrying CCM supporters at Bububu. Right: A lorry ferrying CUF supporters to the rally at Mkoani.*

### ***10.5.6 Preparations for the Election Day***

The preparations for the Election Day in Zanzibar went on smoothly. Narrative reports of TEMCO LTOs in Zanzibar show that the list of voters was posted at every polling station in a readable alphabetical order on 18th October 2015, which was exactly seven days before the

Election Day. TEMCO’s observation indicates that close to 60% of the materials to be used in the elections were distributed a day before the Election Day and 31.8% were distributed on the Election Day.



*Ballot boxes in one of the polling stations*

The distribution of the voting materials was done by electoral staff accompanied by security personnel. Virtually every item required in the conduct of elections was brought to the polling station by 06:00 save only for a few items. According to the TEMCO observation team, the only complaint that was filed by voters was that the form for filling in results of the Union presidential candidates was missing. The TEMCO observation mission also reported that the polling station se-tup was done in accordance with the guiding electoral rules in Zanzibar.

#### ***10.5.7 Opening of Polling Stations and Voting***

TEMCO observation reports for both Pemba and Unguja indicate that the polling stations were ready for operation at 06:00 and they were opened for voting at a legally defined time, which is 07:00 on the Election Day. TEMCO LTOs did not record polling stations that were opened later than the legally specified time.



*The incumbent President and CCM candidate, Dr. Ali Mohamed Shein exercising his right to vote*

TEMCO long term observers reported that the voting process went on smoothly. Apart from the ZEC personnel, the polling stations had personnel taking care of security matters, e.g. unarmed but uniformed police officers, party agents representing candidates and their political parties, and election observers. Apart from observing the voting process party agents were also used to identify voters because they were people from the same neighbourhood. This was an important exercise to ensure that all the voters were eligible as per their names and photos on the voter list. Voting was closed at 16:00, save only for some polling stations that had voters still queuing up at 16:00.



*The incumbent First Vice President and CUF candidate, Hon. Seif Sharif Hamad exercising his right to vote*

### ***10.5.8 Vote Counting***

Vote counting began immediately after closing of the voting process. The votes were orderly disaggregated for every election but also valid votes were separated from invalid votes as per the guiding rules. Generally, TEMCO statistical data indicates that only few complaints were recorded at this stage. For example, there were no complaints about the decision on valid and invalid votes.



*ADC presidential candidate, Hon. Hamad Rashid Mohamed exercising his right to vote*

TEMCO data also indicates that nationwide only 2.42% of complaints had been recorded before the election results were declared. This is an insignificant number to be able to affect the outcome of the whole election results.

### ***10.5.9 Declaration of Results and Post-Election Developments and Episodes***

TEMCO observation reports show that election results for councillorship, House of Representatives and presidential results were declared at the ward, constituency and national level, respectively. The reports revealed that people generally received the results with jubilation and fanfare, especially for the winners. There were no incidents to indicate any signs of violence. TEMCO observers' assessment of the Election Day activities is shown in Table 10.3.

*Table 10.3: Assessment of the Election Day*

<b>Description</b>	<b>Marks and grades</b>	<b>Frequency</b>	<b>Percentage</b>
The voting process had a few shortcomings which did not affect the overall results of the elections. The voting process was clean and fair.	A (80 - 100%)	480	66.2
Voting was generally free and fair but still had shortcomings which might have worked against the fortunes of some stakeholders (political parties, candidates and voters).	B (60 - 79%)	218	30.0
The voting process permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity, and there was favouritism that worked against the fortunes of some candidates and their parties.	C (50 - 59%)	24	3.2
Voting was marred by numerous flaws related to non-compliance of some electoral laws, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40 - 49%)	4	0.6
The elections were disrupted or mismanaged to the extent that it is not possible to understand what happened.	E (1 - 39%)	0	0
The conduct of voting and vote counting was marred by severe irregularities. There were so many incidences of violence, corruption and provocation to such an extent that some candidates decided to withdraw from the election or took other measures. The polling day was an aborted process.	F (0%)	0	0
<b>Total</b>		<b>726</b>	<b>100.0</b>

Source: TEMCO observers' Field Reports

Having considered all the critical stages in the electoral cycle, TEMCO’s overall assessment of the nomination of candidates, election campaigns, voting, vote counting and declaration of results is presented in Table 10.4.

*Table 10.4: Overall Assessment of the Electoral Process*

Description	Marks and grades	Frequency	Percentage
The electoral process had very few irregularities which did not at all affect the overall results of the elections. Overall, the elections were clean, free and fair and reflected the free expression of the will of the people.	A (80 - 100%)	11	50.0
The electoral process was generally free and fair but still had shortcomings which might have worked against the fortunes of some stakeholders (political parties, candidates and voters).	B (60 - 79%)	11	50.0
The electoral processes permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity, and there was favouritism that worked against the fortunes of some candidates and their parties.	C (50-59)	0	0
The electoral processes were marred by numerous flaws related to non-compliance of some electoral laws, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40 - 49%)	0	0
The electoral processes were disrupted or mismanaged to the extent that it is not possible to understand what happened.	E (1 - 39%)	0	0
The electoral processes were terribly conducted. There were so many incidences of violence, corruption and provocation to such an extent that some candidates decided to withdraw from the election or took other measures. The entire election was an aborted process.	F (0%)	0	0
<b>Total</b>		<b>22</b>	<b>100.0</b>

Source: TEMCO Observers’ Field Reports

As shown in Table 10.4, TEMCO’s observation of the electoral process in Zanzibar was, by and large, clean, free and fair and reflected the free expression of the will of the people.

#### **10.5.10 Annulment of Election Results**

As declaration of election results was still underway at various levels, and before ZEC declared the winner of the presidential race, a series of episodes interrupted the otherwise orderly electoral process in Zanzibar. On 26th October, 2015 the Civic United Front issued a public statement, claiming that the CUF’s presidential candidate, Seif Sharif Hamad, has won the 2015 presidential elections by 52.87% of the total votes, against 47.13% of his opponent Ali Mohammed Shein, the incumbent president and CCM’s presidential candidate. Part of the

unsigned statement, carrying the title “The Civic United Front Wins Historic Victory in Zanzibar Election” reads as follows:

*As of 9.30 this morning, Maalim Seif Hamad, the presidential candidate of the Civic United Front in Zanzibar, had secured 200,077 votes against his rival Dr. Ali Mohamed Shein of CCM with 178,363 votes. This constitutes a majority for CUF of 21,714 votes - 52.87% against 47.13%. ...The people of Zanzibar have spoken. ...There is now no question that Maalim Seif has won the presidential election in Zanzibar and that the ruling party has been defeated for the first time since 1977 [sic].*

On 28th October, 2015 the ZEC Chairman, Jecha Salim Jecha, declared the elections results nullified, announcing that the elections would be repeated at a later date.

In his statement to the press, the ZEC Chairman Jecha Salim Jecha, informed the public that the nullification of election results had been necessitate by many irregularities and problems ZEC had encountered during the administration of electoral results. The key problems, he said, included the following:

Differences amongst commissioners of ZEC which later on had spiralled into physical confrontation between them.

- (i) Irregularities recorded at the polling stations including mismatch between the number of votes and people who were registered to vote; vote counting in Pemba was not done at the polling stations as per the law but the ballot boxes were transported to other places.
- (ii) Some youths prevented supporters of other political parties to vote in Pemba.
- (iii) Political parties usurped ZEC’s mandate to declare presidential results in Zanzibar.
- (iv) Party agents were removed from the polling stations by force which compromised the credibility of the results. ZEC Chairman gave an example of TADEA party agents.
- (v) Original forms for recording results from Pemba had been altered which raised questions over their credibility.

The ZEC Chairman nullification of results shocked not only CUF but also election observers and the international community.



*ZEC Chairman, Jecha Salim Jecha*

CUF leadership convened on 7th November 2015 to deliberate on ZEC's decision and later on issued a statement. In its statement CUF argued that the electoral process from voting, counting and declarations of results in polling stations had been carried out smoothly. According to this statement, the results were just awaiting the approval of ZEC at the national tallying centre, of which 31 of the 54 constituencies had already been approved. CUF criticised the ZEC statement of nullifying the results in as much as it was not backed by any constitutional or legal provisions. CCM on the other hand agreed with ZEC's decision.

ZEC's statement also received disapproval from the Zanzibar Law Society (ZLS) and the Tanganyika Law Society (TLS). International observers such as the Commonwealth, Southern African Development Community (SADC), African Union and European Union were alarmed with the cancellation of results and they issued a joint statement, which reiterated their interim statements that the elections were peaceful and conducted in accordance with the law. They appealed to ZEC to account for the reasons for the nullification of results and to resolve the matter before it got out of hand.



*ZEC Chairman making an electoral related announcement*

The critical question that is often raised is whether ZEC has the legal mandate to nullify the Zanzibar elections results. The aggrieved party, CUF, does not think ZEC has the mandate to suspend elections, except as provided in Article 74 of the Elections Act, that polling procedures could be adjourned to the following day in case of open violence. However, no violent acts were recorded at any polling station that is why no single presiding officer adjourned the elections. If problems had happened at the polling stations, agents would have been required to fill in complaint forms as per section 76 (1) of the Zanzibar Elections Act No. 11 of 1984.

Another contested area is whether the ZEC Chairman's announcement of nullification of results was legal. The Zanzibar Constitution Article 119 (10) legalises ZEC's decisions if they have been reached by a quorum composed of the Chairperson or Vice Chairperson and four members. Section 3(2) & (2) of the Zanzibar Elections Act legalise all announcements made by ZEC and signed by either the ZEC Chairman or Director of Elections. However, the Elections Act [Section 3(2)] requires such notices to obtain the consent of the Electoral

Commission, which impliedly makes a reference to the constitutional provision of the Zanzibar Electoral Commission's quorum. Doubts exist over the ZEC Chairman's announcement to nullify the election results in Zanzibar, as to whether it was reached by the ZEC legal quorum or it was just the Chairman's unilateral decision.

To that end, it can be argued that although ZEC is constitutionally empowered to manage elections, which may include nullifying election results, the premises under which it invalidated the 2015 electoral results generated a lot of doubts. It is important to note that the magnitude of irregularities alleged by ZEC in the 2015 election cannot be compared to those that forced TEMCO (2000) to call the 2000 Zanzibar elections "aborted elections". ZEC has not provided evidence of the claimed irregularities, while both domestic and international observers recorded no significant irregularities that could have compelled ZEC to take such an unprecedented decision. However, ZEC's decision presented an important constitutional dilemma which called for interpretation in the court of law. Unfortunately, the aggrieved party avoided the legal route which would include seeking the court's interpretation regarding the ZEC's decision.

#### **10.6 Resolution of the Post-Election Stalemate**

The annulment of election results and ZEC's insistence on the rerun of the elections generated more heat than light in Zanzibar. On the basis of the previous successful efforts of negotiations, CCM and CUF entered into talks in an attempt to resolve the political standoff. CCM and CUF leaders went into several rounds of negotiations looking for the most acceptable solution to the political impasse. The details of the negotiations were not disclosed but on 11th January 2016 the CUF presidential candidate called a press conference.



*President Dr. John Pombe Magufuli in talks with CUF Secretary General after the annulment of October 25, 2016 Zanzibar elections*

To the surprise of many, Maalim Seif reiterated the earlier CUF statement that he had won the 25th October polls by 52.84%. Maalim Seif further informed the public that CUF was not prepared to participate in the rerun of elections. On the Revolution Day commemoration, Dr.

Shein called for Zanzibaris to get prepared for the rerun of elections as would be announced by ZEC at a later date. Dr. Shein underlined the independence of ZEC, calling for all stakeholders to respect its decision. ZEC later announced the rerun of election to be held on 20th March 2016.



*President Dr. John Pombe Magufuli in talks with CUF Secretary General after the annulment of October 25, 2016 Zanzibar elections*

The rerun was held on 20th March as planned. According to ZEC, no political party had legally applied to withdraw from the rerun of the elections but some political parties, including the main opposition party CUF, announced to withdraw from the elections dissuading their followers not to vote. Political parties that participated in the rerun of the elections were ADC, AFP, CCK, CCM, SAU and TADEA. Results of the rerun showed that CCM won by a landslide victory, winning every contested political post including the presidency with 91.4%. According to ZEC, turnout in the rerun was 67.9%.



*President Dr. Ali Mohamed Sheni after being sworn-in following the results of CUF boycotted re-run poll in March 2016.*

The formation of the Government of National Unity was not possible because other participating political parties in the rerun failed to score at least 10% of the presidential vote, or a seat in the House of Representatives as per the constitutional requirement. Given the

constitutional set-up, the President could not appoint the First Vice President. However, the President appointed three cabinet ministers from among the presidential candidates to include some elements of a coalition government in Zanzibar.

### **10.7 Intervention into the Zanzibar Political Stalemate**

In the interest of peace, the disputed elections in Zanzibar have attracted many actors both at the local and international levels. The position of the Union Government in the Zanzibar conflict is difficult to pin down. On the one hand, the Union Government is looked at as an outsider to the Zanzibar conflict. The media has reported the Union President John Magufuli emphasising that the leaders of Zanzibar should search for an amicable solution to the electoral dispute by themselves.



*The President of the United Republic of Tanzania welcomes CUF Secretary General and the former First Vice President of Zanzibar, Mr. Seif Sharif Hamad to State House*

In his meeting with both Maalim Seif Sharif Hamad and Ali Mohamed Shein at different occasions at the State House, President Magufuli gave an indication that the talks were going on well. However, the Union Government is also looked at as a part to the Zanzibar conflict because the ruling party CCM holds the reins of power in both parts of the Union. In other words, CCM is wholly responsible for whatever is happening both in the Mainland and Zanzibar. This line of thinking assumes that the Union Government has not done enough to avert or resolve the political stalemate in Zanzibar.

Donors and the international community have a good record of pressurising both the Union Government and Zanzibar to look for an appropriate solution to the electoral conflicts. For

example, after the disputed 1995 presidential elections in Zanzibar, donor countries withheld aid intended for Zanzibar. For example, a children's vaccination programme, which was to be financed by Denmark was withheld as well as the urban water project funded by Finland (Bakari, 2000:269). Norway also suspended aid that was intended for environmental protection projects in Zanzibar (ibid).

Following the electoral disputes in 2015, the United States of America has withheld a non-serviceable grant of USD 472.8 which is equivalent to Tshs. 1 trillion, a Millennium Challenge Corporation (MCC) grant intended for the electrification project to the United Republic of Tanzania.

## **10.8 Conclusion and Recommendations**

This section concludes the chapter on the paradox of Zanzibar elections, covering the conclusion and recommendations to relevant electoral stakeholders for possible action.

### ***10.8.1 Conclusion***

The October 2015 General Elections in Zanzibar, started with a very bright promise. Both local and international observers as well as other stakeholders expected a peaceful and competently managed electoral process. The elections were supposed to be held in an environment of trust and cooperation between CCM and CUF just as the 2010 General Elections in Zanzibar, partly because of the existence of the Government of National Unity (GNU), which was founded on the July 2010 Constitutional Referendum. The power-sharing initiative was thought of as a lasting solution to the recurrent electoral conflicts in the Isles which were exacerbated by the winner-takes-all electoral system which was in place. The GNU was thus looked at as a trust building mechanism to allow smooth transfer of power during elections. However, the annulment of the 2015 election results and the boycott of the rerun seem to deal a blow on the GNU.

### ***10.8.2 Recommendations***

The rerun of the elections announced by ZEC Chairman following the nullification of October 2015 election results, has been held and the results have been announced. CUF refused to participate in the rerun, allowing CCM to win the presidency, all seats in the House of Representatives, and Local Council elections. In the interest of a peaceful Zanzibar and credible future elections, TEMCO would like to recommend the following:

- (i) The Zanzibar Electoral Commission (ZEC) should reconsider its decision with a view to attaining democratic credible, free and fair elections as well as consolidating peace and stability in Zanzibar within the spirit of Maridhiano (Reconciliation) which has facilitated smooth functioning of the Government of National Unity, installed in 2010.
- (ii) Political parties and presidential candidates should respect the powers and mandates vested into ZEC in accordance with the provisions of the Zanzibar Constitution and relevant electoral legislation.

- (iii) All election stakeholders particularly the key actors, CUF and CCM, should remain calm, refrain from the use of violence, and avoid making statements that could either fuel or increase tensions as well as unhealthy conflicts.
- (iv) Aggrieved parties should address disputes emanating from the annulment of the 25th October poll through the existing legal frameworks in order to preserve peace, law and order.
- (v) The top leadership of the United Republic of Tanzania should consider looking for ways and means to resolve the incipient conflict which may undermine peaceful co-existence not only in Zanzibar but also on the Mainland.
- (vi) All peace-loving people, including the international community, development partners, religious leaders, civil society organisations, retired presidents, the media and all responsible citizens should play a reconciliatory role in order to find a speedy resolution to the issues emanating from the 2015 Zanzibar elections.
- (vii) ZEC commissioners should account for the circumstances leading to the annulment of the elections.
- (viii) The appointing authority should take disciplinary action against ZEC staff for their role in the annulment.

## CHAPTER 11

### CREDIBILITY, FREENESS AND FAIRNESS OF THE 2015 ELECTION

#### 11.1 Introduction

Participation in elections is part of civil and political rights granted by the Constitution of the United Republic, to be enjoyed by all eligible Tanzanians. It was on the basis of the provisions of the Constitution and other related pieces of legislation that on 25th October, 2015 Tanzanians went to the polls to vote for presidential, parliamentary and councillorship candidates. The Tanzania Election Monitoring Committee (TEMCO), a domestic election observation group, which observed and assessed the first, second, third and fourth general elections in 1995, 2000, 2005 and 2010, respectively, was accredited by the National Election Commission to observe the 2015 election.

This chapter concludes the 2015 TEMCO election observation report, laying grounds for the assessment of the election, provided at the end. It summarises the main issues emanating from each of the major components of the electoral cycle: demarcation of the electoral boundaries, registration of voters, nomination of candidates, campaigns, voting, vote counting, declaration of results, and post-election developments and episodes. It also recapitulates methodological issues.

#### 11.2 Summary of the Main Issues

There are many issues emanating from the election observation report. In this section the main issues are summarised.

##### *11.2.1 Election Observation Approaches and Methods*

The observation of Tanzania's 2015 election had two mutually supporting stages. Stage one involved the observation of the voter registration process which for the first time used the Biometric Voter Registration technology. Stage two included observation of the other components in the electoral cycle. In the first stage, TEMCO trained 163 Long Term Observers (LTOs) and deployed them for 21 days to observe the voter registration process using the BVR system in 140 local government authorities, 1,216 wards and 9,728 voter registration stations in Mainland Tanzania; and 11 districts, 88 Shehias and 704 registration centres in Zanzibar. Two sets of instruments were used to collect relevant information related to the BVR exercise.

In the second stage, a total of 150 LTOs were selected, trained and deployed for 44 days to observe the election campaigns and used that period to gather data on the electoral processes that were carried out before the campaigns. These included the demarcation of electoral boundaries (constituencies and wards), intra-party nominations, and nominations by NEC and ZEC. The LTOs used two sets of instruments. The first was CEMOT's EOC instrument with closed-ended items which captured data on the pre-Election Day activities. The information was submitted online to CEMOT on a daily basis using Magpi software applications for analysis. The second was TEMCO's instrument which had both closed and open-ended items for capturing qualitative and quantitative pre-campaign and campaign information to be used

mainly in the comprehensive narrative report. On the Election Day, the LTOs also observed the voting, vote counting, as well as the declaration of the results and the ensuing post-election events/episodes. On the Election Day, 7,350 Short Term Observers (STOs) were deployed in 7,350 polling stations located in 150 constituencies on Tanzania Mainland (6,646) and Zanzibar (704). The STOs had two sets of data collection tools. The first was CEMOT's instrument for gathering data on the Election Day. The instrument had 69 closed-ended questions. The responses were submitted to CEMOT's EOC by mobile telephones using "sms" messages. The second was TEMCO's instrument which had closed-ended and open ended questions on the Election Day. The responses were analysed to generate data for the narrative comprehensive report. Interviews with the electoral officers at different levels and leaders of political parties were also used to generate information on the electoral processes. The LTOs and TEMCO experts reviewed the Constitution of the United Republic of Tanzania and the Constitution of Zanzibar, together with legal and institutional frameworks governing elections in Tanzania as part of its methodology.

For the purposes of assessment of the 2015 election, the data and information generated was analysed with a view to enabling TEMCO to ascertain the extent to which the total electoral process approximated the universal standards for credibility, freeness and fairness. TEMCO observers scored each of the three electoral steps observed, namely demarcation of electoral boundaries, voter registration, intra-party nominations, campaigns and voting using a six-letter grade scale. The scale was demarcated as follows:

- (i) 80-100% or letter grade 'A', to mean an election with only a few shortcomings which do not affect the overall results. It is awarded a "Clean, Free and Fair Election" certificate.
- (ii) 60-79% or letter grade 'B', to mean an election (or electoral step) which is generally free and fair, but still has shortcomings which work against the fortunes of some stakeholders (voters, candidates, parties, etc.). It is awarded a "Qualified Free and Fair Election" certificate.
- (iii) 50-59% or letter grade 'C', to mean the election permits free participation of stakeholders (voters, candidates, parties, others), but there are many instances where bigger parties (or especially the ruling party) break the rules with impunity. That is to say, the election is awarded a "Free but Not Fair" certificate.
- (iv) 40-49% or letter grade 'D', to mean that the election process has acts of violence, intimidation, favouritism, corruption, etc. The deserving award is "Unfree and Unfair Election" certificate.
- (v) 1-39% or letter grade 'E', to mean an election (or electoral step) with so many managerial problems and irregularities that most major stakeholders (voters, candidates, political parties) reject or are likely to reject the final results. It is awarded a "Totally Mismanaged Election" certificate.
- (vi) 0% or letter grade 'F', to mean an election (or electoral step) which has failed totally in terms of management, compliance with electoral rules, code of conduct and fairness; and therefore it does not come to normal finality. TEMCO awards such an election an "Aborted Election" certificate.

### ***11.2.2 Political Context and Electoral Environment***

The period preceding the 2015 election was characterised by a number of political developments. First, a clear division of the electorate and key actors in the Tanzania political milieu on the proposed constitution emerged. The ruling party, Chama cha Mapinduzi and its supporters were in favour of the Proposed Constitution while the opposition under the coalition of defenders of the people's constitution, i.e. UKAWA, opposed the Proposed Constitution. The major area of contention fundamentally emanated from the structure of the Union. Whereas CCM favoured maintenance of the status quo, i.e. current two-government system, UKAWA advocated for a three-tiered-government structure.

The second area of contention was related to the decision by UKAWA consisting of four political parties, namely CHADEMA, CUF, NCCR-Mageuzi and NLD to nominate candidates to represent the coalition at all levels in the October, 2015 election.

The third, and related, was the failure of the “gentleman agreement” between President Jakaya Kikwete and the TCD aimed at improving the fairness and transparency of the upcoming elections, including: (i) the formation of an independent electoral commission; (ii) the participation of independent candidates in the elections; (iii) 50 percent-plus one minimum provision for the presidential election instead of a simple majority; (iv) the option of challenging presidential electoral results in court; and (v) the suspension of the constitutional review process and resumption of the same after the 2015 election.

The fourth set of factors related to the institutionalisation of political parties. The continued dominance of one party, CCM, since the country attained independence in 1961 winning all presidential elections and maintaining majority seats in the Union parliament, house of representatives, councils and grassroots was thought to be another area. At the same time the slow pace of democratisation within political parties had culminated into intolerance of dissenting views, leading to expulsion and in some cases the establishment of new political parties. Two new political parties, ACT-Wazalendo and ADC, are a product of intra-party conflicts in CHADEMA and CUF, respectively. Within CCM, there was stiff competition among and between CCM members who vied for the party's nomination to stand for the party in general election at various levels. For instance, 42 members including 14 ministers, applied to be considered for nomination in the union presidential elections, which was unprecedented. Also, there were unexpected outcomes following the intra-party nomination processes in CCM and political parties within the UKAWA coalition, particularly CHADEMA and CUF. Two former Prime Ministers, Edward Ngoyai Lowasa and Frederick Tluway Sumaye as well as Kingunge Ngombale Mwiru, one deputy minister and three regional party chairmen defected from CCM to CHADEMA. Edward Lowassa became UKAWA's presidential candidate. In CHADEMA and CUF, some of its top leaders opted out in protest of the process leading to the selection of the presidential candidate for the coalition. The Secretary General of CHADEMA, Dr. Wilbroad Slaa, who stood for the party in the 2010 elections and expected to stand for the party in the 2015 presidential election race, unceremoniously resigned as the party's Secretary General and announced to quit politics altogether. Again, the CUF Chairman, Prof. Haruna

Lipumba, decided to resign from his position but opted to stay as an ordinary party member. The totality of the continued ruling party dominance alluded to earlier, manifests itself in the imbalance of power among political parties. In the 2010 elections CCM had 186 and 28 constituency seats in the Union Parliament and House of Representatives, respectively; CUF had 24 and 22 seats in the Union Parliament and House of Representatives, respectively; CHADEMA 23 seats; NCCR-Mageuzi four seats; UDP one seat; and TLP one seat. This also had implications on the access to financial resources from government. The more seats a party had, the bigger the share of government subventions.

### ***11.2.3 Legal and Institutional Frameworks***

The legal framework governing general elections in the United Republic of Tanzania is derived from the Constitution of the United Republic of Tanzania (1977). The National Elections Act (CAP 343) of 1985 and its amendment provide for the law regulating the election of the President of the United Republic of Tanzania and elections to the National Assembly. The local government council elections are held under the Local Authorities Elections Act (CAP 292) of 1979 and related regulations. Moreover, the Union elections are also governed by the Election Expenses Act, No. 6 of 2010, which makes provisions for the funding of electoral processes, with a view to controlling the use of funds and prohibited practices. In addition, the legislation makes provisions for allocation, management and accountability of election funds. Elections in Zanzibar are governed by the Zanzibar Constitution (1984) and the Elections Act No. 11 of 1984 and its amendments.

The National Electoral Commission (NEC) is constitutionally mandated to manage the Union elections. The members of the commission are appointed by the President of the United Republic of Tanzania and they carry out their mandate as stipulated in the electoral legislation. Some electoral stakeholders are not satisfied with the law governing Union elections in Tanzania. There are perceptions and concerns that the legislation has some inadequacies, including the following:

- (i) NEC has inadequate autonomy to execute its mandate in a manner that is impartial. This concern emanates from the fact that the chairperson, the deputy, the commissioners and director of elections are all appointed by the President who is the chairperson of a political party, and in some instances may be a candidate in the union presidential election.
- (ii) NEC does not have staff specifically dedicated for its duties and responsibilities. It relies heavily on local government officers who serve at the pleasure of the President. The loyalty of local government servants is to their employer not to the Commission.
- (iii) The law does not provide for independent candidature, it requires a candidate to be nominated by a political party; consequently, this infringes on civil and political rights.
- (iv) The law excludes the Diaspora to register as voters as well as to stand as candidates.
- (v) Inmates serving less than a six-month sentence and people who are admitted in hospital for treatment are denied the opportunity to vote. While the electoral legislation neither precludes nor disqualifies these two groups from registration and voting, it does not make any special accommodation to their circumstance; and

- (vi) The structures and mechanisms for effective enforcement of the Election Expenses Act, 2010, are inadequate.

Overall, the legislation governing general elections in Tanzania is neither obnoxious nor draconian. The electoral laws and institutional arrangements, by and large, guarantee universal suffrage. The legal framework and institutional arrangement do not significantly deviate from acceptable international electoral norms and standards. This notwithstanding, some provisions in the legislation require a review in order to enhance the confidence and trust of major electoral stakeholders in the legal and institutional arrangements as well as attaining credible, free and fair elections.

#### ***11.2.4 Management of the Electoral Processes***

The management of the electoral process in Tanzania is vested in the hands of NEC and ZEC. Ahead of the 2015 general elections, NEC had accomplished a number of important activities that provided the direction for the election. Some of the main activities were: (i) procurement and distribution of election materials, including the BVR kits; (ii) updating of the PNVR using the BVR (This exercise necessitated all eligible voters to update their particulars and surrender the previous OMR-generated cards); (iii) training of electoral officers at national, regional, district and ward levels; and (iv) preparation and issuance of codes of ethics for political parties and candidates as well as election observers. Overall, NEC executed its mandate, duties and responsibilities efficiently and in a manner that was largely professional despite resource constraints and enormous pressure exerted on it by the electoral stakeholders.

### **11.3 Assessment of the Electoral Cycle Processes**

#### ***11.3.1 Electoral Boundary Delineation***

New electoral constituencies and wards were established, culminating into an increase of 25 constituencies, making a total of 264 from the previous 239, as well as new wards. Electoral wards were increased from 3,339 in 2010 to 3,957 in 2015. The drawing of electoral boundaries was properly undertaken, using a transparent, justifiable and consistent procedure, established by law, and included the use of criteria such as population size and geographical or administrative boundaries. There were no complaints among electoral stakeholders against the manner in which the electoral boundaries were drawn. TEMCO observers' findings do not reveal incidents or evidence of gerrymandering which could lead to manipulation of election outcomes.

#### ***11.3.2 Voter Registration Process***

TEMCO also noted that NEC had registered a total of 23,161,440 (96.9%) of voters out of the projected 23,913,184. This was a remarkable achievement despite the fact that NEC was somewhat under-resourced and was under pressure from various electoral stakeholders. Although there is no law in Tanzania which compels adults to register, the turn out for registration was excellent, demonstrating that people are conscious of their civil and political rights. The Commission used a credible and cleaned Permanent National Voters Register for the October 2015 election. TEMCO observers' reports noted that the BVR process took

relatively long to complete and mechanisms for identification of eligible voters had a lot of loopholes. Allegations of registration of non-citizens especially in the border regions points to this shortcoming. As already noted, the Diaspora and inmates serving less than six months, were not allowed to register as voters.

### ***11.3.3 Intraparty Nominations***

The findings of TEMCO election observation mission revealed that nomination of candidates within many political parties fell short of democratic practices. Four major models of nominating candidates were employed: (i) handpicking model, (ii) application model, (iii) wait-for-defectors model, (iii) semi-democratic and semi participatory model, and (iv) democratic-cum-participatory model. The handpicking model entailed leaders of political parties unilaterally appointing candidates of their own choice. This model was used by “small” political parties, especially those with no seats in parliament and local government councils; they only have offices in Dar es Salaam and in very few regions. The application model was a new innovation whereby some parties especially the small ones invited interested individuals to stand for the party in various electoral positions at constituency and ward levels. The wait-for-defectors model was used by some political parties to create space for potential leaders who had failed to get nominations in their political parties. This was used by parties in the UKAWA coalition which in a way undermined the major pillars of a democratic nomination process. The semi-participatory model had elements of participation although leaders of political parties had a final decision. The democratic model was largely used by the ruling party and CUF especially in Zanzibar whereby interested members were invited to express their intention to seek the party’s nomination to vie for positions at different levels including the presidency. Selection was carried out on merit and through voting depending on the selection criteria set by the party. Some political parties resorted to undemocratic nomination procedures partly because the Tanzania political party legislation does not provide for parties to create coalitions and alliances for electoral purposes.

Overall, TEMCO’s observation has revealed that after 23 years of existence, political parties in Tanzania have not transformed themselves into democratic institutions and have not performed well in one of their cardinal functions related to nurturing and grooming leaders. Moreover, their pace towards building and consolidating internal democracy is relatively slow.

### ***11.3.4 Nominations by NEC***

NEC is mandated to nominate names of candidates proposed by political parties to stand in elections at different levels. NEC is also empowered to handle objections against Assistant Returning Officers or the Registrar of Political Parties. Persons aggrieved by lower level decisions have the right to appeal to the next level and finally to NEC. In the 2015 presidential elections, 10 candidates collected nomination forms from NEC. However, only eight (one female [12.5%] and seven males [87.5%]) satisfied the requirements and were nominated to stand for Union presidential election. Regarding Union parliamentary elections, 1,218 (985 males [80.9%] and 233 females [19.1%]) were nominated by NEC. The councillorship election had 10,879 candidates (10,191 males [93.7%] and 679 females [6.3%]). As required by the

electoral legislation, NEC received and determined all appeals by either reinstating or upholding the verdict of the lower level. A decision of NEC to reinstate the candidature of parliamentary aspirants disqualified by the Returning Officers received wide acclaims from the election stakeholders, including election observers. Parliamentary appeals that were determined by NEC included those received from five constituencies namely, Tandahimba, Mwanga, Wanging'ombe, Handeni Urban and Kasulu Urban. NEC also received and determined appeals regarding 70 wards in relation to councillors' election. Contrary to the 2010 elections where 16 CCM parliamentary candidates and 500 councillorship candidates were elected unopposed, the unopposed parliamentary candidate phenomenon did not feature in the 2015 election.

Overall, NEC handled the nomination process in accordance with the law and handled appeals in a manner that satisfied political parties. It is also worth noting that women who were nominated by NEC were very few and this raises questions of efficacy of interventions geared at emancipating women to participate in elections as contestants. TEMCO's analysis of 150 constituencies provided in chapter five of this report suggests that in five constituencies (3.3%) nomination was "unfree and unfair"; in 16 constituencies (10.5%) nomination was "free but not fair"; in 68 constituencies (45.6%) the nomination process was "qualified free and fair"; and in another 61 constituencies (40.6%) the nomination process was "clean free and fair".

### ***11.3.5 Assessment of Campaigns***

Reports by TEMCO observers reveal pluses and minuses in the way political parties organised election campaigns. On the plus side the reports point to the following:

- (i) A campaign timetable for presidential campaign rallies was prepared and all political parties largely adhered to this; however, there were incidents where changes had to be made.
- (ii) Only three political parties CCM, CHADEMA/UKAWA and ACT-Wazalendo managed to launch election campaigns at the national level alongside their political party manifestos.
- (iii) Only two political parties CCM and CHADEMA/UKAWA attracted huge campaign rallies which were very well attended and they were generally peaceful.
- (iv) Uniformed law enforcement officers were visible during presidential election campaigns.

On the minus side TEMCO observers' reports reveal the following:

- (i) Although generally the campaigns were held in a peaceful manner, there were claims that clashes between followers of two main political parties resulted into loss of life in Tarime Constituency.
- (ii) Despite isolated incidents of campaign meetings going beyond the specified time, that is 6.00 pm, the police were generally tolerant, thus averting possible standoffs/clashes.
- (iii) The mutually agreed upon timetable at constituency level for parliamentary and councillorship rallies was on many occasions not adhered to.

- (iv) Campaigns revolved around personalities and kind of demagoguery rather than institutions (political parties) and election manifestos.
- (v) Circumstantial evidence suggests that the two major contending parties (CCM and CHADEMA/UKAWA) in the presidential race may have spent money beyond the set ceiling; however, this is hard to verify with confidence.
- (vi) Many political parties were vividly under-resourced with the exception of CCM and CHADEMA/UKAWA; hence, the playing field was not level, which might have affected fairness in the elections.
- (vii) Isolated cases of negative campaigning, including the use of inflammatory and abusive language in campaign rallies was noted.
- (viii) Widespread use of vernacular languages in some areas especially in parliamentary and councillors' elections was recorded, contrary to the provisions of the election legislation and the code of ethics for political parties.

The assessment of TEMCO LOTs regarding the election campaigns, dealt with in detail in chapter six of this report, shows that campaigns in 16 constituencies (11%) were “free but not fair”; 88 constituencies (59%) were “qualified free and fair”; and 42 constituencies (30%) were “clean, free and fair”. TEMCO observers did not report an incident where a candidate or a political party was deliberately denied the opportunity to conduct campaigns.

#### ***11.3.6 Election Day: Voting, Vote Counting and Declaration of Results***

TEMCO deployed a total of 7,350 observers to observe the Election Day activities including voting, vote counting and declaration of results. Moreover, TEMCO benefitted from the data that was generated by CEMOT's Election Observation Centre (EOC). TEMCO observers' reports on the Election Day reveal the following:

- (i) A total of 6,080 polling stations (94%) which were observed opened on or before 7.00 a.m. which was the official time and 249 (4%) opened from 07.31 a.m. to 08.00 a.m. Only 115 polling stations (2%) opened at 08.01 a.m. onwards.
- (ii) Of the 7,350 polling stations that had TEMCO observers, 6,615 (90%) had adequate voting materials, whereas 735 (10%) faced shortage, particularly of stamps.
- (iii) Names of 1,323 (18%) voters out of 7,350 polling stations were missing from the voter register.
- (iv) Out of the 7,350 polling stations, CCM had 7,203 (98%), CHADEMA/UKAWA had 7,129 (97%), and other political parties had a total of 5,145 (70%).
- (v) A total of 6,883 polling stations (95%) out of 7,350 had uniformed police officers.
- (vi) A total of 6,762 polling stations (92%) out of 7,350 provided easy access to people with disability.
- (vii) Out of 7,350 polling stations observed by TEMCO, in 7,276 polling stations (99%) electoral officers verified voters IDs.
- (viii) Signs of campaign were visible at 294 polling stations (4%).
- (ix) In 6,542 polling stations (89%) electoral officers checked for signs of indelible ink on voters' fingers.

- (x) In 3,161 polling stations (43%) voters were still in the queue by 04.00 p.m. which was the official closing time.
- (xi) The last person on the queue voted between 05.00 p.m. and 05.30 p.m. in 824 polling stations (11.2%).

Vote counting started immediately after the last person on the queue had cast their vote. TEMCO observers' reports revealed the following in respect to vote counting:

- (i) Out of 7,350 polling stations, 3,014 (41%) polling stations observed by TEMCO were converted into counting stations and the counting process commenced between 04.30 p.m. and 05.00 p.m.
- (ii) A total of 1,764 (24%) polling stations were converted into counting stations and the counting process commenced after 05.00 p.m.
- (iii) TEMCO observers witnessed that results were displayed outside the vote counting stations as follows: presidential election 7,056 (96%), parliamentary election 6,762 (92%), and councillors' election 7,056 (96%). TEMCO observers witnessed friction arising out of claims of delayed announcements of parliamentary results in some constituencies including Mbagala, Kinondoni, Ubungo, Kibamba, Kawe, Mbozi, Temeke, Simanjiro and Babati which degenerated into chaos in some cases.

As reported in chapter nine, about 5,640 of STOs (76.74%) showed that the Election Day processes had few shortcomings which did not affect significantly the voting and vote counting processes. In this regard, they deserved a "clean, free and fair" certification. The voting and vote counting activities in 1,580 polling stations (21.5%) were "qualified free and fair", whereas 118 polling stations (1.6%) were "free but not fair".

### ***11.3.7 Assessment of All Electoral Processes***

TEMCO observers independently assessed four major critical processes in the electoral cycle which determine the integrity of elections. The four processes are voter registration, nomination of candidates, campaigns, and polling day activities. The assessment of the first three processes involved LTOs alone whereas the polling day activities involved both the LTOs and STOs. The conduct of each major electoral process in its entirety was assessed on a 0-100 marks scale as outlined in chapter one section eight. Thereafter, a corresponding grade was awarded ranging from "A" to "F". The results of this assessment are presented in Table 56.

The statistical information in Table 11.1 shows that about 90% of responses were awarded 60-100 marks, equivalent to either grade A (40.0%) or grade B (48.9%), showing that overall, the four electoral processes had the essential hallmarks of a credible, free and fair election, with few pockets of insignificant irregularities which could not in any meaningful way affect the integrity of the electoral processes.

Table 11.1: Assessment of All Electoral Processes

Electoral process	Awarded marks and grades											
	A (80-100)		B (60-79)		C (50-59)		D (40-49)		E (1-39)		F (0)	
	F	%	F	%	F	%	F	%	F	%	F	%
Voter registration <sup>16</sup>	24	14.9	112	69.6	24	14.9	1	0.6	0	0	0	0
Nomination of candidates	61	40.4	68	45.6	16	10.5	5	3.5	0	0	0	0
Campaigns	42	28.0	88	58.7	16	10.7	4	2.6	0	0	0	0
Polling day <sup>17</sup>	5,630	76.8	1,595	21.5	117	1.6	7	0.1	0	0	1	0
Average	1,439	40.0	466	48.9	43.3	9.43	4.25	1.7	0	0	0.25	0

Source: TEMCO observers' Field Reports, 2015

About 10% of all responses were awarded 40-59 marks, corresponding to either grade C (9.43%) or D (1.7%), showing that the election processes had very few incidents of irregularities. This assessment informed TEMCO's verdict and certification in respect of 2015 Tanzania general elections.

#### 11.4 Zanzibar Elections

TEMCO noted with concern and surprise the decision by ZEC Chairman to annul Zanzibar elections because of what was claimed to be "irregularities and gross violation of laws and election regulations". The specific incidents that were cited by the ZEC boss include incidents of intimidation of voters in political parties' strongholds, usurping of ZEC's mandate over the announcement of presidential election results, differences which degenerated into fighting among ZEC members, and the number of voters at some polling stations exceeding that of the voters in the register, particularly in Pemba. TEMCO deployed 22 LTOs and 704 STOs in Zanzibar. The LTOs were in Zanzibar 43 days before the election. Both LTOs and STOs observed the Election Day processes including polling, vote counting, declaration of results and immediate post-election episodes. Their preliminary reports show that the pre-electoral processes and Election Day activities were conducted professionally, and in an orderly and peaceful manner to the satisfaction of many electoral stakeholders. Surprisingly, the decision to nullify the Zanzibar elections was made when presidential results were being announced.

TEMCO was also shocked by the unsigned statement issued to the public by CUF on 26th October, 2015 carrying the title "The Civic United Front Wins Historic Victory in Zanzibar Election". This statement was interpreted as declaration of election results, and hence a contravention of the electoral law and was cited by ZEC when issuing its statement on annulment of elections in Zanzibar. In the light of the preceding account, ZEC's decision and CUF's statement leave a lot to be desired. They have generated heated debate and serious concerns among election stakeholders in Zanzibar including political parties, presidential contestants and domestic and international observers. TEMCO election observation mission remains concerned about the situation in Zanzibar.

<sup>16</sup>The assessment was carried out by 161 LTOs deployed in constituencies to observe the BVR process.

<sup>17</sup>The assessment was carried out by 7,350 observers including, 6,600 TEMCO observers and 750 CEMOT sponsored STOs.

### 11.5 TEMCO’s Overall Assessment and Verdict on the 2015 Election

The overall assessment is anchored upon two major interrelated electoral factors: (i) legal and institutional frameworks governing elections in Tanzania; and (ii) conduct of the four core components in the electoral cycle, namely voter registration, nomination of candidates, campaigns, and Election Day operations. TEMCO observers objectively assessed the overall conduct of the 2015 general elections. This provides a big picture regarding the extent to which the elections were credible, free and fair in the eyes of the observers, as shown in Table 11.2.

*Table 11.2: Overall Assessment of the 2015 Electoral Process*

Description	Marks and grades (%)	Frequency	Percentage
The electoral processes had very few irregularities which did not at all affect the overall results of the elections. Overall, the elections were clean, free and fair and reflected the free expression of the will of people.	A (80-100)	78	52.0
The electoral processes were generally free and fair but still had shortcomings which might have worked against the fortunes of some stakeholders (political parties, candidates and voters).	B (60-79)	67	44.7
The electoral processes permitted free participation of stakeholders (political parties, candidates and voters) but there were many instances where bigger parties or, especially, the ruling party broke rules with impunity, and there was favouritism that worked against the fortunes of some candidates and their parties.	C (50-59)	5	3.3
The electoral processes were marred by numerous flaws related to non-compliance of some electoral laws, regulations and code of conduct, management problems and instances of intimidation and favouritism.	D (40 - 49%)	0	0.0
The electoral processes were disrupted or mismanaged to the extent that it is not possible to understand what happened.	E (1 - 39%)	0	0.0
The electoral processes were terribly conducted. There were so many incidences of violence, corruption and provocation to such an extent that some candidates decided to withdraw from the election or took other measures. The entire election was an aborted process.	F (0%)	0	0.0
<b>Total</b>		<b>150</b>	<b>100.0</b>

Source: TEMCO observers’ Field Reports, 2015

TEMCO’s overall assessment shows that the conduct of electoral activities during the entire electoral cycle in five constituencies (3.3%) qualify for the award of “free but not fair” certificate; electoral activities in 67 constituencies (44.7%) are considered for a “qualified free and fair” certification; while election activities in 78 constituencies (52%) deserve a “clean,

free and fair” certificate. Broadly, the Tanzania (Union) 2015 election deserved a “clean, free and fair” certificate. However, taking into account the perceptions and legitimate concerns of various electoral stakeholders regarding the independence of the electoral commission, minor shortcomings in the legal and instructional frameworks as well as challenges identified in the conduct of the four core components of the electoral cycle, TEMCO awards the Tanzania 2015 Union Elections a QUALIFIED FREE AND FAIR certificate.

## **11.6 Recommendations**

In drawing out the recommendations emanating from the 2015 general elections, it seems plausible to also point out that in the previous general elections (2000, 2005 and 2010), TEMCO recommended to various electoral authorities and stakeholders a number of areas which, in its view, required attention and deliberate interventions as shown in Annex 5. Taking into account the findings of the TEMCO election observation mission, some recommendations with a view to improving future elections are made for the attention of different state and non-state electoral stakeholders in Tanzania.

### ***11.6.1 Government of the United Republic of Tanzania***

The government is advised to consider the possibility of undertaking comprehensive electoral reforms with the view to:

- (i) increasing the confidence and trust of the electoral stakeholders in the election management bodies particularly the manner in which the commissioners and the director of elections are appointed and the need for EMBs to have own staff;
- (ii) reviewing or amending electoral legislation in order to provide independent candidature, challenge presidential election results in a court of law, and allow the Diaspora to participate in elections;
- (iii) considering replacement of the winner-takes-all (first-past-the-post) electoral system with a proportional representation system, which will broaden representation chances of small political parties in the parliament and local government councils;
- (iv) enacting a law that would provide for the establishment of an independent monitoring body to regulate campaign and political financing;
- (v) considering harmonisation/interfaces of different databases and IDs, including the voter ID card, national IDs, passport, driving licence, tax-payer’s identification number and health insurance;
- (vi) developing and implementing a comprehensive civic education strategy to govern and regulate the provision of voter education;
- (vii) taking measures to strengthen the institutions responsible for youth socialisation in order to regulate their behaviour to enable them become patient, responsible citizens and learning to control their emotions;
- (viii) taking measures geared at enhancing the conduct of the social media during elections to avoid distortion of electoral processes;
- (ix) amending the Political Parties Act in order to have a provision that allows political parties to form alliances/coalitions for electoral purposes; and

- (x) taking steps to enact a legislation that will compel political parties to nominate a minimum number of candidates to participate in presidential, parliamentary and councillorship elections.

### ***11.6.2 National Electoral Commission***

Taking into account the constitutional mandate vested into the National Electoral Commission as well as its position in administering elections in the United Republic of Tanzania, and the need to ensure credibility, freeness and fairness of election, TEMCO recommends to NEC to consider:

- (i) embarking on the process of organising the Constitutional Referendum now that Tanzania has a credible Permanent National Voters Register (PNVR);
- (ii) undertaking regular updates of the PNVR as stipulated by the law;
- (iii) developing a medium-term strategic plan and management tools to enable the smooth conduct of its activities;
- (iv) installing Information Communication Technologies that would facilitate electronic voting including casting and counting votes; and
- (v) devolving the powers and responsibilities in respect of accreditation of STOs to the Returning Officers.

### ***11.6.3 Political Parties***

Political parties are major players in elections. TEMCO recommends that the political parties should:

- (i) respect and conduct themselves in accordance with the electoral laws, rules, regulations and codes of conduct;
- (ii) learn to address their grievances related to elections through proper channels and statutory organs, i.e. courts of law;
- (iii) take measures that would build, enhance and consolidate internal democracy, specifically during nomination of candidates to stand in elections on their tickets;
- (iv) take measures that would motivate and enhance the participation of women, the youth and PWDs in vying for leadership positions; and
- (v) strive to become learning institutions capable of reproducing themselves, having ideological norms and values which can be passed over from one generation to another and refrain from individual glorification.

### ***11.6.4 Media***

The media generally played a significant role to educate and inform the electorate during the 2015 general elections. Notwithstanding their contribution to making the election a success, the following is recommended:

- (i) The media self-regulating organisations such as MCT and Editors' Forum should continue with the good work that they are doing to preserve professional ethics and conduct among their stakeholders but they should go the extra mile to sanction actors in the field that are deliberately violating the code of conduct and professional ethics.

- (ii) Deliberate efforts should be taken by the media owners to enhance the capacity and capabilities of the editors and journalists on reporting issues related to the implementation of the electoral processes.
- (iii) The social media is an important platform for sharing knowledge and experience on electoral matters; however, given its infancy and behaviour, it should be monitored and regulated.
- (iv) The publicly owned media should provide equal coverage and grant equal treatment to all candidates and political parties.

### ***11.6.5 Civil Society Organisations***

The provision of voter education and election observation mainly depended on the CSOs during the 2015 election. In order to enable this group of electoral stakeholders carry out their activities effectively and efficiently, CSOs should:

- (i) continue to win public confidence by enhancing and demonstrating their impartiality and objectivity;
- (ii) device appropriate strategies for mobilising resources not only from donor partners but also from local sources with a view to enhancing their autonomy and reducing the dependency syndrome;
- (iii) refrain from providing voter education using a “fire-fighting mode” and also strive to reach the rural communities, hitherto disadvantaged; and
- (iv) design voter education delivery strategies and methodologies that are participant-centred, permitting dialogue rather than monologue.

### ***11.6.6 Electorate***

Like previous elections, the 2015 election granted the Tanzanian citizenry an opportunity to exercise freely their civil and political rights. Although the voter turnout increased in 2015 to 67.34%, from 42.84% in 2010, more than 33% of Tanzanians, equivalent to seven million registered voters, did not vote. Although voting is not mandatory and failure to vote is not a criminal offence, responsible citizens are expected to participate in electoral processes as an expression of fulfilling their civic duty. TEMCO recommends as follows:

- (i) Tanzanians should exercise their right to vote and be elected in leadership positions.
- (ii) Tanzanians should know that they have a duty to choose suitable leaders that would be responsible for moving the nation forward, for internal, regional and international development.

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## ANNEXES

### *Annex 1: List of TEMCO Member Organizations, 2015*

S/ N	Organization	Location
1	Action for Development Forward (ADF)	Dar es Salaam
2	Action for Justice in Society (AJISO)	Moshi
3	African Family Action Plan	Dar es Salaam
4	African International Group of Political Risk Analysis (PORIS)	Dar es Salaam
5	Agency for Co-operation and Research in Development (ACORD)	Mwanza
6	Agenda Participation 2000	Dar es Salaam
7	Amani the Foundation of Life (AFL)	Mbeya
8	Amka Kazinga	Bukoba
9	Art for Development Company Limited	Bagamoyo
10	Association of Women for Democracy	Dar es Salaam
11	Association of Journalists and Media Workers (AJM)	Dar es Salaam
12	Association of Non-Governmental Organizations of Zanzibar (ANGOZA)	Zanzibar
13	Baraza Kuu la Waislam Tanzania (BAKWATA)	Dar es Salaam
14	B'villea Community Services	Mbeya
15	Campaign for Good Governance (CGG)	Dar es Salaam
16	Centre Against Gender Based Violence	Dar es Salaam
17	Centre for Civil Society and Strategic Studies (CCSSS)	Dar es Salaam
18	Centre For Community Initiatives and Awareness	Dar es salaam
19	Centre for Informal Sector Promotion (CISF)	Moshi
20	Chama Cha Saidia Jamii-Kilombero (CHASAJAKI)	Ifakara
21	Chama cha Wafugaji Muheza (CHAWAMU)	Muheza
22	Chama Cha Walemavu Tanzania - Kigoma	Kigoma
23	Chama cha Walimu Tanzania (CWT)	Dar es Salaam
24	Chama cha Wastaafu na Wazee Lindi (CHAWALI)	Lindi
25	Chama Cha Wastaafu Wilaya ya Kisarawe (CHAWAKI)	Kisarawe
26	Chambani Development Society (CHADESO)	Mkoani Pemba
27	CHAWAKATA	Bukoba
28	Children Dignity Forum	Dar es Salaam
29	Children in Need Outreach (CINO)	Lindi
30	Christian Council of Tanzania (CCT)	Dar es Salaam
31	Christian Professionals of Tanzania (CPT)	Dar es Salaam
32	Civic Education Teachers' Association (CETA)	Dar es Salaam
33	Coast Region NGOs Network (CORNNET)	Mlandizi-kibaha
34	Community Development for All (CODEFA)	Kisarawe
35	Community Services Tanzania - COSETA	Dar es Salaam
36	Dar es Salaam Business School, Mzumbe University	Dar es Salaam
37	Department of Fine and Performing Arts ,UDSM	Dar es Salaam
38	Department of Political Science and Public Administration, UDSM	Dar es Salaam

<b>S/ N</b>	<b>Organization</b>	<b>Location</b>
39	Development and Relief Foundation ( DRF)	Bukoba
40	Development for Accountability for Tanzania	Bagamoyo
41	Development of Sustainable Community Based Activities (DESCOBA)	Dar es Salaam
42	District Organization for Aids Control and Orphans Right (DOACO)	Wete Pemba
43	Eastern and Southern Africa University Programme (ESAURP)	Dar es Salaam
44	Environature	Dar es Salaam
45	Environment Conservation for Social Development	Mkuranga
46	Environmental Conservation for Social Development ( ECOSODE)	Pwani
47	Environmental Protection and Humanitarian Agency (EPHA)	Kigoma
48	Forum for African Women Educationalists (FAWE)	Dar es Salaam
49	Guluka Kwalala Youth Environment Group	Dar es Salaam
50	Haki Mtoto Foundation	Dodoma
51	Hakielimu	Dar es Salaam
52	Health and Environmental Rehabilitation Organization of Tanzania	Dar es Salaam
53	Huruma Women Group	Dar es Salaam
54	Institute of Development Studies , UDSM	Dar es Salaam
55	Jamoja Trust	Moshi
56	Jikomboe Integral Development Association (JIDA)	Tabora
57	Jumuiya ya Sanaa ya Elimu ya Ukimwi na Mazingira (JSEUMA)	Mkoani Pemba
58	Jumuiya ya Wahitimu wa Chuo cha Demokrasia Zanzibar (JUWADEZA)	Zanzibar
59	Kagera Development and Credit Revolving Fund (KADETFU)	Bukoba
60	Kagera Environmental Care	Bukoba
61	Kagera Youth Empowerment Network	Bukoba
62	Kanyigo Aids Prevention Foundation	Kanyigo-bukoba
63	Kashai Development Initiative Organization (KADEI)	Bukoba
64	Kibaha Network of Civil Society Organizations (KNCSO)	Kibaha
65	Kidike Environmental Conservation Club	Chakechake Pemba
66	Kigoma Paralegal Aid Centre (KIPACE)	Kigoma
67	Kigoma Women Development Group	Kigoma
68	Kikundi Cha Wanawake Kilimanjaro Kupambana na Ukimwi (KIWAKKUKI)	Moshi
69	Kilimanjaro Women Information Exechange and Consultancy Organization (KWIECO)	Moshi
70	Kinga za Haki za Binadamu/Haki Za Raia (DHR)	Mbeya
71	Kinondoni Youth Parents Counselling Centre (KNYPC)	Dar es Salaam
72	Kiziba Development Initiatives	Bukoba
73	Kongwa Alliance Development Trust (KADET)	Mbeya
74	Lindi Support Agency for Welfare (Lisawe)	Lindi
75	Lindi Women's Paralegal Aid Centre	Lindi
76	Lisawe on Poverty Alleviation	Lindi
77	Liwale Farmer's Association (LIFA)	Liwale- lindi

<b>S/ N</b>	<b>Organization</b>	<b>Location</b>
78	Lumemo Farmers Club	Ifakara
79	Makambako Environmental Community Society	Makambako
80	Mapambano Centre for Children Rights	Mkuranga
81	Mara Youth NGO	Mara
82	Matumaini Women and Care of Children	Kigoma
83	Mbeya Older Persons Care (MOPEC)	Mbeya
84	Mbeya Paralegal Unit (MBEPAU)	Mbeya
85	Mbeya Women Organization for Preventing HIV/Aids	Mbeya
86	Mbeya Youth Development Organization	Mbeya
87	Mbinga Development and Environment Action (MBIDEA)	Mbinga
88	Mbulu Environmental Society Organization ( MBESO )	Manyara
89	Merit Social Foundation (MESOF)	Mbeya
90	Micheweni Islamic Development Environmental Conservation and Aids Control (MIDECAC)	Micheweni Pemba
91	MIICO	Mbeya
92	Millennium Aids Herbalist Programme (MAHP)	Dar es Salaam
93	Mkoani Poverty Eradication Society (MPESO)	Mkoani Pemba
94	Moses Foundation Tanzania (MFT)	Dar es Salaam
95	Mowers Planters and Cleaners (MOPLAC)	Bukoba
96	Mshikamano and Advancement Women Organization	Dar es Salaam
97	Mtwara Region NGOs Network (ENGO)	Mtwara
98	Muheza District Paralegal Centre	Muheza
99	Multiple Education Centre (MEC)	Dar es Salaam
100	Mushrooming Legal, Economic and Environmental Aid for Community	Morogoro
101	Muungano wa Vijana Tanzania (MUVITA)	Dar es Salaam
102	MUVIKA	Bukoba
103	National Association of Education	Mbeya
104	National Youth Information Centre (NICE) KIGOMA	Kigoma
105	Ndela Kituo cha Maendeleo ya Vijana Kigoma	Kigoma
106	NGO Network for Dodoma Region (NGONDEDO)	Dodoma
107	Nyengedi Environment Development and Diseases Control	Lindi
108	Oak Tree Tanzania	Mbeya
109	Pamoja Aids and Environmental Foundation	Dar es Salaam
110	Patronage in Environmental Management and Health Care Warriors	Lindi
111	Peace House Foundation Ltd.	Moshi
112	Pemba Awareness for Land Use and Environment Society (PALESO)	Pemba
113	Pemba Environmental Gender and Advocacy Organization	Pemba
114	Pemba Investment and Youth Development Organization (PIYDO)	Wete Pemba
115	Pemba Press Club	Pemba
116	Pemba Rapid Development Organization (PRADO)	Wete Pemba
117	Peoples' Development Forum (PDF)	Dar es Salaam

<b>S/ N</b>	<b>Organization</b>	<b>Location</b>
118	People's Organization Transparency Agency (POTA)	Bukoba
119	Policy Mirror	Dar es Salaam
120	Ruaha University College	Iringa
121	Ruangwa Non-Governmental Organization Network (RUANGONET)	Ruangwa
122	Ruangwa Organization of Poverty Alleviation	Ruangwa-Lindi
123	Rural and Urban Development Initiatives (RUDIT)	Mkuranga
124	Rural Initiatives and Relief Agency	Magu
125	Rural Women Development Initiative (RUWODI)	Bagamoyo
126	Ruvuma Network of Organizations Working With HIV/Aids (RUNOWA)	Songea
127	Sanganigwa Children's Home	Kigoma
128	Self-Help Development Community (SEDECO)	Songea
129	SHIKWAUKI	Kilwa masoko
130	Shinyanga Civil Society Organization (SHINGONET)	Shinyanga
131	Sinangoa Disabled Group (SDG)	Dar es Salaam
132	Society for Rural Development Initiatives (SRDI)	Dar es Salaam
133	Songea Network of Non-Governmental Organization (SONNGO)	Songea
134	South Region Civil Society Organization Network	Zanzibar
135	Taaluma Women Group (TWG)	Dar es Salaam
136	Taasisi ya Nyumba ya Haki (House of Justice)	Dar es Salaam
137	Tanganyika Law Society	Dar es Salaam
138	Tanzania Action for Coastal Education Advocacy	Kibaha
139	Tanzania Episcopal Conference (TEC)	Dar es Salaam
140	Tanzania Home Economics Association (TAHEA)	Dar es Salaam
141	Tanzania Journalists Association (TAJA)	Dar es Salaam
142	Tanzania Media and Youth Development Association (TAMEADA)	Songea
143	Tanzania Muslim Professional Association (TAMPRO)	Dar es Salaam
144	Tanzania Organization for Permaculture Promoters (TOPP)	Dar es Salaam
145	Tanzania Private Sector Foundation (TPSF)	Dar es Salaam
146	Tanzania Transparency Journalist Association	Dar es Salaam
147	Tanzania Women for Self Initiatives	Dar es Salaam
148	Tanzania Women Graduate Federation (TWGF)	Dar es Salaam
149	Tanzania Women Impact Foundation	Dar
150	Tanzania Women Lawyers Association (TAWLA)	Dar es Salaam
151	Tanzania Young Farmers Club (TAYFAC)	Dar es Salaam
152	Tanzania Youth Team for Campaign Against Aids (TAYOTA)	Dar es Salaam
153	Tanzania Youth Vision Association (TYVA)	Dar es Salaam
154	TCCIA Kigoma	Kigoma
155	The Institute of Peace and Conflict Studies (IPCS)	Dar es Salaam
156	Tumaini Trust Fund	Dar es Salaam
157	Uelekeo Tanzania (UTZ)	Dar es Salaam

<b>S/ N</b>	<b>Organization</b>	<b>Location</b>
158	Umoja wa Maendeleo Kaskazi Mtende Unguja (UMAKAMU)	Zanzibar
159	Umoja wa Wawezeshaji Kioo Kigoma	Kigoma
160	Urban West Civil Society Network	Zanzibar
161	Vitongoji Environmental Conservation on Association (VECA)	Chakechake-Pemba
162	Wamata Head Office	Dar es Salaam
163	Wazee Wastaafu Kigoma (WAWAKI)	Kigoma
164	Wete Environmental Conservation Club (WECOC)	Wete-Pemba
165	White Orange Youth (WOY)	Moshi
166	Women and Children Improvement Agency (WOCHIA)	Dar es Salaam
167	Women and Community Development (MUDUGU-WACOD)	Kisarawe
168	Women in Law and Development in Africa (WILDAF)	Dar es Salaam
169	Women Initiatives of Tabora	Tabora
170	Women Law Association Centre	Dar es Salaam
171	Youth Against Poverty Trust Fund (YAP)	Dar es Salaam
172	Youth Development Society	Wete-Pemba
173	Youth Environment Rescue Organization Tanzania (YEROTAN)	Dar es Salaam
174	Youth Service Volunteers Society	Dar es Salaam
175	ZAM Foundation	Dar es Salaam
176	Zanzibar Association of the Disabled	Zanzibar
177	Zanzibar Female Lawyers Association (ZAFELA)	Zanzibar
178	Zanzibar Law Society (ZLS)	Zanzibar
179	Zanzibar Legal Services Centre (ZLSC)	Zanzibar
180	Zanzibar National Association of the Blind (ZANAB)	Zanzibar
181	Zanzibar Paralegal Organization	Zanzibar
182	Zanzibar Women Cooperation (ZAWCO)	Zanzibar
183	Zanzibar Youth Education Development Environment Supporters	Zanzibar

*Annex 2 TEMCO Code of Ethics and Conduct for LTOs and STOs*

You shall present yourself in proper manner, dress formally and reflect the good standing of TEMCO at all times.

You shall be obliged to observe and comply with all laws, regulations and guidelines governing and guiding elections, as enacted or otherwise issued by the Election Management Bodies, NEC and ZEC.

It is important that you shall at all times during the currency of this agreement maintain strict neutrality and impartiality in the conduct of your duties and will at no time publicly express or exhibit any bias or preference in relation to national authorities, parties or candidates, or with reference to any issues in contention in the election process.

All information and documents arising from your work must be held in confidence and communicated only to TEMCO.

The Observer Code of Conduct prohibits observers from making personal comments about their observations to the media.

TEMCO observers are strictly forbidden from speaking to the media regarding the substance of their observations and findings. TEMCO Chairman and Head of Election Observation mission or his deputy may make substantive comments to the media.

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner. Any absence without reasonable cause from the constituency shall constitute ground for dismissal.

Observers will undertake their duties in an unobtrusive manner and will not interfere in the electoral process. TEMCO observers may raise questions with election officials and bring irregularities to their attention, but they must not give instructions or countermand their decisions.

Observers will remain on duty throughout Election Day, including observation of the vote count, tallying/tabulation and declaration of the results.

Observers will base all conclusions on their personal observations or on clear and convincing facts or evidence.

Observers will not take any unnecessary or undue risks. Each observer's personal safety overrides all other considerations.

Observers will carry any prescribed identification issued by the Electoral Management Bodies, NEC or ZEC and will identify themselves to any authority upon request. They will also be required to dress in TEMCO observers' apparel/attire

Observers will exhibit the highest levels of personal discretion and professional behaviour at all times.

Observers will attend all required TEMCO meetings and debriefings and adhere to the deployment plan and all other instructions provided by the TEMCO.

Observers also must not conduct any activity that could be reasonably perceived as favoring or providing partisan gain for any political competitor.

*Annex 3: TEMCO Deployment Plan for LTOs and STOs*

Region	Names of LTOs	Constituency	Wards	No. of STOs
1. Arusha	Annmarie Nkelame (REOC)	Arusha	25	50
	Baraka Leader	Karatu	14	44
	Dr.Mbeba Benjamin	Arumeru West	27	44
	Fransisca Silayo	Arumeru East	26	50
	Marietha Kaijage	Monduli	20	44
2. Dar Es Salaam	Dr. Rose Shayo (REOC)	Ilala	16	45
	Dr. Richard Mbunda	Segerea	9	50
	Anna Mgalla	Temeke	13	45
	Perpetua Bilizonzi	Mbagala	10	44
	RithaKalokola	Kawe	10	50
	Rusa Allen	Ubungo	8	50
	Shani Adam	Kibamba	6	44
3. Dodoma	Agape Kakumbula	Mpwapwa	15	46
	Christabella Bushiri	Mtera	22	46
	Dr.Rasul A. Minja (REOC)	Dodoma Town	41	46
	Elly Ahimidiwe	Kongwa	22	46
	Martin Kihunrwa	Kondoa Town	8	46
4. Geita	Ferdinand Lutatenekwa (REOC)	Geita Town	12	50
	Christina Mbilinyi	Busanda	22	45
	Alban Hokororo	Bukombe	17	44
	Patrick Mlinga	Chato	23	45
5. Iringa	Prof.Bernadeta Killian	Iringa Town	18	50
	Evelyine Missingo	Kilolo	24	45
	Fortunata Sarmo	Mufindi North	11	45
	Denis Kamugisha	Mafinga Town	9	44
6. Kagera	Faustine Rwelamila (REOC)	Bukoba Town	14	50
	Elizabeth Bitegela	Biharamulo	17	45
	Godfrey Benson	Karagwe	23	45
	KetrinaMakobwe	Kyerwa	24	45
	Lusubilo Mwaisunga	Muleba South	25	46
	Peter Enos	Ngara	22	45
7. Katavi	Dr.Hamza Kondo (REOC)	Mpanda Town	15	46
	ConsolatiaBarongo	Katavi	6	46
	Alex William	Kavuu	9	46
8. Kigoma	Deogratus Kisinda	Muhambwe	19	45
	Gibson B. George	Kasulu Town	15	45
	Shaaban Simba (REOC)	Kigoma Town	19	50
	Ibrahim A. Rwenza	Kigoma North	16	45
	Graceana Roman	Kigoma South	16	45
9. Kilimanjaro	Audax B. Kweyamba	Hai	17	43

Region	Names of LTOs	Constituency	Wards	No. of STOs
	Prof. Ernest T. Mallya (REOC)	Moshi Town	21	50
	Miza Haji	Same East	14	43
	Neema Richard	Vunjo	16	50
	Leonard Haule	Rombo	28	44
10. Lindi	Sixbert Khamsini	Liwale	20	46
	Rajab Ali	Nachingwea	36	46
	Rubalatuka B. Josephat	Mtama	20	46
	Ali S. Mwaimu (REOC)	Lindi Town	20	46
	Thomas H. Moshi	Kilwa North	13	46
11. Mara	Kulwa Mgawe	Bunda Town	14	50
	Elizabeth Massanja	Tarime Town	8	50
	Davis Benjamin Kato	Serengeti	31	44
	Furaha Julius	Butiama	18	44
	Norvin S. Mujwahoki	Rorya	26	44
	Prof. Mohabe Nyirabu (REOC)	Musoma Town	16	44
12. Manyara	Dr.Leons Kimaryo(REOC)	Babati Town	8	46
	JechaVuaiJecha	Hanang'	33	46
	Mahyoro Kalokola	Mbulu Town	17	46
	Mariasemeni Festo	Simanjiro	18	46
13. Mbeya	Dr. Bashiru Ally (REOC)	Mbeya Town	36	50
	Naumi Shemweta	Mbarali	20	45
	NdamlaniGosbert	Rungwe	29	46
	Neema Mukandala	Ileje	18	45
	Rashid Abdalla	Vwawa	18	45
	Rev. Raphael Haule	Tunduma	15	45
	Salma Hassan	Lupa	20	46
	Titus Gindo	Kyela	33	46
14. Morogoro	Dr.Victoria Makulilo (REOC)	Morogoro Town	29	46
	Hoti Ramadhani	Morogoro South East	14	46
	Hysintha Musaroche	Gairo	18	46
	Ishengoma Gosbert	Mikumi	17	46
	Pavin Msigula	Kilombero	19	46
	Soud B Ayoub	Ulanga East	21	46
	Hildergada Mashauri	Kilosa	23	46
15. Mtwara	Lucas Kisasa (REOC)	Mtwara Town	18	46
	Salma Saadat	Mtwara Rural	21	46
	Tambila Bukungu	Newala Town	16	46
	Tatu G. John	Nanyumbu	17	46
	Vicky K. Moshi	Ndanda	16	46
	Theresia Kessy	Masasi	14	46

Region	Names of LTOs	Constituency	Wards	No. of STOs
16. Mwanza	Anita Kisasira	Ilemela	19	50
	Dr. Ambrose T. Kessy (REOC)	Nyamagana	18	50
	Eva Maduhu	Kwimba	15	44
	Malingo Kinsweni	Magu	25	44
	Peter A. Bana	Sengerema	26	44
	Rweyemamu Sylvester	Ukerewe	25	44
17. Njombe	Penina Petro	Njombe North	13	46
	BaumbaChogero (REOC)	Makambako	12	46
	Respicius S. Damian	Makete	23	46
18. Pwani	Ahmad Haji	Chalinze	15	46
	Dr.Denis Gatambwa (REOC)	Kibaha Town	14	46
	Dr. Jacob Lisakafu	Mafia	8	46
	Regina Kabwogi	Mkuranga	25	46
	Renatus Mkinga	Rufiji	13	46
19. Rukwa	Ramadhani Kingi (REOC)	Sumbawanga Town	19	46
	Happiness Malleyeck	Nkansi North	17	46
	Amina T. Ali	Kalambo	23	46
20. Ruvuma	William John (REOC)	Songea Town	21	45
	Oscar Tarimo	Nyasa	20	45
	Anita Philbert	Tunduru North	24	45
	Fridolin Henjeweke	Peramiho	16	50
	Happy Israel	Mbinga Town	19	45
21. Simiyu	Dr. Edwin Babeiya (REOC)	Bariadi East	22	46
	Brenda Kalokola	Meatu	16	46
	Dr. Emmanuel Elia	Busega	15	46
	Kemilembe Mukyanuzi	Maswa West	17	46
22. Singida	Dionis Ndamgoba (REOC)	Singida Town	18	46
	Bernadetha E. Choma	Iramba East	17	46
	Adrophina Salvatory	Iramba West	20	46
	Hadija K. Mwendah	Manyoni West	13	46
	Penina Nkinga	Singida East	13	46
23. Shinyanga	Christonsia Reginald (REOC)	Shinyanga Town	17	45
	Abdalla J Abdalla	Kishapu	29	45
	Indamo Mziray	Msalala	18	44
	Joswam Kamara	Kahama Town	20	50
24. Tabora	Joseph Ibreck (REOC)	Tabora Town	29	46
	Janeveva Emmanuel	Igalula	11	46
	Dr. Charles Saana	Sikonge	20	46
	Patricia Reginald	Urambo	18	46
	Suleimani Abubakari	Nzega Rural	19	46
	Emmanuel Momburi	Igunga	16	46

Region	Names of LTOs	Constituency	Wards	No. of STOs
25. Tanga	Matrona Kabyemela (REOC)	Tanga Town	27	46
	Anold Temba	Lushoto	15	46
	Jamila M. Juma	Bumbuli	18	46
	Tatu Kibakaya	Pangani	14	46
	Phillemon S. Mutashubirwa	Kilindi	21	46
	Renatus Rweshabula	Handeni Town	12	46
	Sophia Derick	Korogwe Town	11	46
26. Pemba North	Antony Kija (REOC)	Kojani	10	32
	Joyce Mwacha	Mgogoni	8	32
	Dr. Philemon Lugumiliza	Micheweni	8	32
	Deborah Mbalilaki	Konde	7	32
27. Unguja North	John Kihamba (REOC)	Chaani	8	32
	GoodluckMshana	Nungwi	9	32
	Anita Masaki	Donge	9	32
	Sophia Komba	Mahona	9	32
28. Pemba South	Ishengoma J. Katabaro (REOC)	Chake Chake	7	32
	Kandi S. Mwambo	Wawi	7	32
	Devotha Mkongwa	Chambani	7	32
	Victor W. Rugumamu	Mtambile	8	32
29. Unguja South	Faraja Ndumbaro(REOC)	Chwaka	11	32
	Felister Frank	Uzini	16	32
	Matogwa Armstrong	Makunduchi	13	32
30. Unguja Town	Frida Ilomo	Dimani	8	32
	Asha Aboud (REOC)	Kiembesamaki	4	32
	Lucius Mugisha	Bububu	6	32
	Jocelyn Mkilima	Chumbuni	6	32
	Jackson Juma Coy	Mpendae	4	32
	Ezra E. Mbangwa	Jang'ombe	5	32
	Shafii D. Kanju	Kikwajuni	10	32
TOTAL			2550	6600

*Annex 4: CCM Members who collected Presidential Nomination Forms*

SN.	NAME	PREVIOUS POSITION
13	Ally Abeid Karume	Former Ambassador
14	Amina Salum Ali	AU Ambassador
41	Amos Robert	Not available
12	Amos Siyantemi	CCM Secretariat officer
40	Antony Chalamila	Not available
29	Asha Rose Migiro	Minister for Constitutional and Legal Affairs
34	Athuman Mwariko	Painter, Sculptor and Cultural Scientist
22	Augustine Mahiga	Former Tanzania Permanent Representative to the UN
18	Bernard Membe	Minister for Foreign Affairs and International Cooperation
26	Bonephace Ndenga	Businessman
33	Boniface Ndego	Not available
9	Charles Makongoro Nyerere	EALA member
2	Edward Ngoyai Lowassa	Former Prime Minister, Member of Parliament
25	Eldoforce Bihelo	Farmer
3	Frederick Tluway Sumaye	Former Prime Minister
15	Godwin Mwapongo	High Court Advocate
20	Hamis Kigwangalla	Member of Parliament
27	Hans Kitine	Former Chief of Intelligence Services
39	Helena Elinawinga	Not available
19	January Makamba	Deputy Minister for Communication, Science and Technology
6	John Pombe Magufuli	Minister of Works
36	Joseph Chagama	Not available
17	Lazaro Nyalandu	Minister for Natural Resource and Tourism
16	Leons Mulenda	Civil Servant
21	Luhaga Mpina	Member of Parliament
31	Maliki Malupu	Postgraduate student at Mzumbe University
8	Mark Mwandosya	Minister of State, President's Office
30	Mathias Chikawe	Minister for Home Affairs
28	Mizengo Pinda	Prime Minister, United Republic of Tanzania
1	Mohammed Gharib Bilal	Vice President United Republic of Tanzania
32	Monica Mbega	Former Deputy Minister for Finance
35	Muzzammil Kalokola	Chairperson, Mwalimu Nyerere Ideology Conservation Society
23	Mwele Malecela	Director General of National Institute for Medical Research
5	Mwigulu Lameck Nchemba	Deputy Minister for Finance
37	Patrick Chokala	Former diplomat and Press Secretary to presidents Mwinyi and Mkapa

SN.	NAME	PREVIOUS POSITION
24	Peter Nyalali	Retired soldier
38	Ritha Ngowi	Community Development Officer
7	Samuel John Sitta	Minister for Transport, Former Speaker
11	Sospeter Muhongo	Former Minister for Energy and Minerals
4	Stephen Massatu Wassira	Minister for Agriculture, Food and Cooperative
10	Titus Kamani	Minister for Livestock and Fisheries Development
42	William Ngeleja	Former Minister for Energy and Minerals

*Annex 5: Recommendations for Improving Tanzania Electoral Processes (2000 General Election)*

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
Administration of electoral processes	ZEC and NEC should be reconstituted in order to enjoy the full trust and confidence of all election stakeholders	The Government of the United Republic of Tanzania	Procedures for constituting NEC and ZEC are redefined in the proposed new Constitution	Implementation of suggested changes awaits the results of a referendum on the proposed constitution
	The relationship between NEC and ZEC in respect to the union president and MPs needs to be defined so as to avoid existing ambiguities	The government of the United Republic of Tanzania and the Government of Zanzibar	The relationship was redefined	The relationship between ZEC and NEC has been streamlined
	There is need for a clear formula for demarcating or altering constituencies	NEC and ZEC	The legal framework governing constituencies demarcation was redefined	Demarcation of electoral boundaries is currently guided by a clear legal framework
	Civic and voter education should be a permanent programme undertaken by NEC and ZEC instead of waiting until the election period.	NEC, ZEC and other election stakeholders	Still no effective measures for voter education	The provision of voter education remains sporadic and adhoc
	The recruitment and appointment of the posts of RECs, ROs, AROs and PAROs should be objective	NEC	No action taken	None
	The current Zanzibar residential law should be reviewed	The Revolutionary Government of Zanzibar	No action taken	Residence requirement was reduced from five to three years but there is still a need for further review
	There is a need for a civic education programme for the security forces	The Government of the United Republic of Tanzania	Civic education programmes for security forces have been introduced	These programmes have positively changed the relationship between security forces and other election stakeholders

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
Voter Registration	There is need to expand the scope of voter education programmes and to ensure that they are implemented in between elections	NEC, ZEC and other election stakeholders	No effective measures taken to address voter education	Provision of voter education remains sporadic and adhoc
	Recruitment of registration clerks needs to be more open and transparent	NEC	No measures taken	None
	There is need to ensure better training of registration clerks	NEC and ZEC	The training of these officials has been improving	The training of these officials is satisfactory
	An overlap between tax collection operations and voter registration should be avoided	The Government of the United Republic of Tanzania	These operations were abolished	The overlap no longer exists
	A census needs to be held	The Government of the United Republic of Tanzania	A census was held	None
	There is need for voter registration lists to be quickly posted	NEC and ZEC	The posting of these lists is still slow	The pace of NEC and ZEC in posting these lists remains slow
	Registration should overlap with and continue past the party nomination process	NEC and ZEC	No action taken	None
Nomination and Campaigns	The recruitment of Returning officers should NEC should be objective.	NEC	No measures taken	None
	NEC should review its rule barring the use of ethnic languages	NEC	No measures taken	None
	A convention should be held to debate the place of religious leaders in the political arena.	NEC and ZEC	Such conventions have been held NEC and ZEC	The relationship between election management bodies and religious leaders is cordial
	NEC should review the use of government owned media and devise a better way of making them provide free, fair and equitable access to all campaigning parties	Public media, The Government of the United Republic of Tanzania	No action taken	Access of opposition parties to government media remains limited

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
	The issue of government subsidies for campaigns should be moderated to avoid the “over-kill” syndrome where parties with more resources could easily overshadow those with no resources.	The government of the united Republic of Tanzania	No action taken	None
	The use of abusive language in campaigns should be prohibited	NEC and ZEC	No action taken	Use of abusive language in campaigns remains common
	The time limit for campaigns (i.e. 6.00 p.m.) should not be the same for all areas because 6:00pm may be too early for some zones and late for others.	NEC	No action taken	None
Voting, counting and declaration of results	Voter registers should be in order before the polling day so as to avoid inconvenience to voters	NEC and ZEC	Preparation of registers by NEC and ZEC’s has significantly improved	Voter registers are accessible and available to voters before the polling day
	There is a need for vigorous provision of voter education by all election stakeholders	NEC, ZEC and other stakeholders	No effective measures taken	The provision of voter education by all stakeholders remains poor
	Recruitment of presiding officers and polling assistants should be based on merit	NEC	No measures taken	None
	The provision of training to presiding officers and polling assistants should be adequate and timely	NEC and ZEC	Training of election officials has been adequate	The training of these officials has been adequate for effective management of electoral processes
	NEC should ensure that all polling stations are of satisfactory quality	NEC	The quality of polling stations has improved	The quality of most of the polling stations has been satisfactory
	NEC should improve its communication network to ensure election results are declared as soon as possible	NEC	The adoption of ICT tools and systems has relatively improved results declaration	Despite some improvement, the tendencies of delays in declaring results remain ubiquitous
Women participation in elections	Political parties should be compelled by law to integrate gender in their internal processes, particularly in leadership issues	Political Parties	Gender mainstreaming across political parties has been enhanced	Despite some improvement, gender imbalances in leadership positions still exist

Recommendation category	Recommendation	Responsible authority	Action taken	Remarks
	NEC should be legally empowered to probe intra-party selection of candidates	The Government of the United Republic of Tanzania, NEC	No action taken	None
	NEC should track and deal with corruption, sexual harassment and discrimination based on race across political parties	NEC	No action taken	None
	The government, political parties, civil society, candidates and voters should further an improvement of the position of women in elections.	All election stakeholders	All election stakeholders have taken efforts to improve women involvement in elections	Despite such improvement, there are still no adequate efforts by political parties to increase the number of female candidates at constituency and ward levels
Corruption elections in	Nomination of candidates by political parties should be more rigorous and employ several mechanisms	Political parties	Procedures for nomination of candidates vary	With an exception of CCM, the nomination of candidates in opposition parties is generally not rigorous
	The rule for traditional hospitality and door to door canvassing should be changed	NEC and ZEC	Traditional hospitality was abolished	While traditional hospitality was outlawed, tendencies of canvassing remains ubiquitous in elections
	Candidates should stick to political party manifesto when discussing what they would do were they to accede to power	Political Parties, Candidates	No effective measures taken	Tendencies of candidates to divert from political party manifestos are still common
	Candidates should adhere to the accepted code of conduct	Candidates	No effective measures taken	No effective measures taken to enforce adherence to code of conduct
	Political parties should expose their own corrupt party officials	Political parties	No measures taken	While political parties are vocal in exposing corruption in the government, they are very silent over corrupt practices taking place within their own establishments
	Political Parties Act should be amended so as to require parties to declare foreign and local sources of funding	The Government of the United Republic of Tanzania	Election expenses Act was enacted in 2010	The enforcement of this law has been poor

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
The role of the media	The media industry should focus much on upgrading the skills and professional standards of journalists	Public and Private media	Some measures have been taken to upgrade journalists quality	Despite some improvement, the quality of journalists remains largely poor
	Public funded media should desist from being partisan	Public Media	No effective measures taken	Opposition parties still blame public media of being partisan
	The NEC should have a regular programme for voter education	NEC	No effective measures taken	None
	NEC should address the partisanship of public funded media	NEC, Public Media	No effective measures taken	None
	Tanzania Broadcasting Commission should ensure equitable coverage of all political parties on their airwaves	Tanzania Broadcasting Commission	No effective measures taken	None

*Annex 6: Recommendations for Improving Tanzania Electoral Processes (2005 General Election)*

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
Administration of Electoral Processes	Efforts need to be made to ensure that NEC is independent.	NEC, the Government of the United Republic of Tanzania	No effective measures taken	None
Voter registration	NEC should involve other stakeholders in the provision of voter education.	NEC, other election stakeholders	No effective measures taken	Provision of voter education by NEC and other stakeholders remains poor
Nomination and campaigns	NEC needs to establish an elaborate link with the IT unit in order to effectively address various problems such as those emanating from PNVR.	NEC	The link between NEC and its IT unit has significantly improved	NEC's increased application of ICT tools and systems has relatively improved its efficiency
	The recruitment of returning officers should be objective	NEC	No effective measures taken	None
	The Permanent National Voter Register needs to be updated from time to time	NEC	No effective measures taken	Updating PNVR is still not a regular exercise
	Financing of campaigns needs to be re-examined with a view to assisting small parties	NEC, Political Parties, the Government of the United Republic of Tanzania	No measures taken	None
	Financing of campaigns should be transparent	NEC, Political Parties, the Government of the United Republic of Tanzania	Election Expenses Act was enacted in 2010	The enforcement of Election Expenses Act remains poor
Voting, counting and declaration of results	NEC should ensure that the PNVR contains correct voters' information	NEC	NEC has taken stern measures to ensure the accuracy of voter information	Despite some shortcomings, the correctness of voter information in PNVR is satisfactory
	The opening of the polling stations be extended to 0800 hours and the closing time to 1700 hours.	NEC	No action taken	None
	NEC needs to ensure that its website is and remains up to date	NEC	No effective measures taken	The reliability of NEC's website has been fluctuating

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
The role of the media	The media industry needs to invest much in investigative journalism	The media industry	No effective measures taken	The level of investigative journalism remains low
	There should be an enabling environment for the functioning of the media	The media	No effective measures taken	None
	The media need to create a balance between urban and rural coverage.	The media	No active measures taken	Media bias in favour of urban areas remains a common phenomenon
	Media should apply the joint benchmarks of equality and dignity where they cover issues of race, class or gender	The media	The application of these benchmarks has been high	None
	Political actors need to be zealous in utilizing existing media outlets	Political actors	The utilization of media especially by political parties has significantly improved	Despite increased utilization of the media, most of media outlets have been subjective in their coverage of political parties and candidates

*Annex 7: Recommendations for Improving Tanzania Electoral Processes (2010 General Election)*

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
Administration of Electoral Processes	The appointment of NEC commissioners needs to be transparent and impartial	NEC, the Government of the United Republic of Tanzania	No actions taken	None
	The powers of the President to appoint key officials such as Director of elections and heads of state-owned media, should be reviewed.	The government of the United Republic of Tanzania	No actions taken	None
	There should be a very clear separation of responsibilities in the implementation of the Election Expenses Act and other electoral legislation.	The Registrar of Political Parties, NEC	No effective measures taken	None
	There is a need to raise public awareness about the Election Expenses Act	NEC, Registrar of Political Parties	No effective measures taken	The level of awareness about this law for both political leaders and the public is still low
	Political parties should reinvigorate their presence in rural areas	Political parties	No active measures taken	The tendency of political parties to be only active during election period remains commonplace
	Political parties should enhance their financial management capacity in financial management in order to facilitate the implementation of Election Expenses Act	Political parties	No active measures taken	Political parties continue to violate this Act during elections
	Political parties and candidates should observe the rule of law.	Political parties	Government machineries have been very active in ensuring observance of rule of law	The observance of rule of law during elections has been generally satisfactory
Voter registration	The Permanent voter register needs to be updated from time to time	NEC	No effective measures taken	Updating voter register is still not a regular exercise

<b>Recommendation category</b>	<b>Recommendation</b>	<b>Responsible authority</b>	<b>Action taken</b>	<b>Remarks</b>
	There should be high level of objectivity in the management of elections so as to encourage high voter turn out	NEC	NEC has tried much to professionally manage elections	Despite some shortcomings, NEC has generally been objective in managing elections
	The provision of voter education should be a regular exercise	NEC, ZEC, other election stakeholders	No effective measures taken	Provision of voter education remains sporadic
	There is need to promote community radios in disseminating voter education particularly in rural areas	All election stakeholders	The number of community radios across the country has significantly increased	These radios are currently the main providers of voter education in rural areas
Nomination and campaigns	Unopposed candidates should be subjected to popular vote	NEC	No action taken	None

*Annex 8: Secretariat for TEMCO Election Observation Mission*



Prof. Rwekaza S. Mukandala  
TEMCO Chairman and Head of Election  
Observation Mission



Dr. Benson Bana  
TEMCO Project Manager and Deputy Head  
of Election Observation Mission



Dr. Deogratius Rugaimukamu  
Statistical Analyst



Dr. Lupa Ramadhani  
Political Analyst



Ms. Judith Kapinga  
Legal Analyst



Ms. Perpetua John Bilinzosi  
IT Expert



Ms. Shani Adam  
Administrative Assistant



Ms. Sandra Tetty  
Administrative Officer



Mr. Dunia Nassoro  
Accountant



Mr. Charles Kayoka  
Media Analyst



Captain Patrick  
ICT Expert



Julius David  
Office Attendant