

**AFRICAN UNION COMMISSION**



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**AFRICAN UNION ELECTION OBSERVATION MISSION TO THE 2016 GENERAL  
ELECTIONS IN THE REPUBLIC OF ZAMBIA**

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**FINAL REPORT**

**AUGUST 2016**

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## **ACKNOWLEDGEMENT**

The African Union Election Observation Mission (AUEOM) to the Republic of Zambia expresses its appreciation to the various stakeholders and institutions that helped ensure successful mission during its deployment.

In that regard, the Mission would like to thank the Zambia Government and institutions, especially the Electoral Commission of Zambia, for their assistance and cooperation, which ensured that the Mission was a success.

The AUEOM is grateful to His Excellency Dr. Goodluck Jonathan, former President of the Federal Republic of Nigeria, for his leadership of the AUEOM.

Finally, the Mission would not have been successful without the dedication and support of its technical team from the African Union Commission and the Electoral Institute for Sustainable Democracy in Africa (EISA) based in South African, as well as the commitment of its observers, whose hard work and diligent reporting on the electoral process was crucial to the success of the Mission.

## ABBREVIATION/ACRONYMS

AU	African Union
AUC	African Union Commission
AUEOM	African Union Elections Observation Mission
CCMG	Christian Churches Monitoring Group
CDP	Christian Democratic Party
CEO	Chief Executive Officer
CSO	Civil Society Organizations
ECZ	Electoral Commission of Zambia
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	Election Management Bodies
FBO	Faith Based Organisation
FDA	Forum for Democratic Alternatives
FDD	Forum for Democracy and Development
FPTP	First-Past-The Post
GREENS	Green Party of Zambia
MISA	Media Institute of Southern Africa
MMD	Movement for Multiparty Democracy
NAREP	National Restoration Party
NEC	National Executive Committee
PAP	Pan-African Parliament
PF	Patriotic Front
UNIP	United National Independence Party
UPND	United Party for National Development
ZEIC	Zambia Elections Information Centre
ZNBC	Zambia National Broadcasting Corporation

## EXECUTIVE SUMMARY

The Republic of Zambia held its General Elections (Presidential, Parliamentary, Mayoral and Local Council) on 11 August 2016, concurrently with a Constitutional Referendum on the amendment of the Bill of Rights. The African Union Commission (AUC) conducted a Pre-election Assessment Mission in May 2016 and subsequently deployed an Election Observation Mission in two phases.<sup>1</sup>

The African Union Election Observation Mission (AUEOM) observed pre-election developments and deployed 24 teams of observers in 9 Provinces who visited 390 polling stations in 87 constituencies on polling day.<sup>2</sup> The teams observed the opening, polling and counting of votes. During the post-election period, the AUEOM observed the tabulation, transmission, announcement of results and the dispute resolution processes.

Following its observation, the AUEOM concluded that the Electoral Commission of Zambia (ECZ) conducted the elections in a largely professional and competent manner. The Mission also concluded that in spite of some incidents of election-related violence, the elections were conducted in a largely peaceful atmosphere.

Based on its observations and findings, the AUEOM offers the following recommendations to improve future electoral processes:

### ***To the Executive:***

- Provide the necessary support for establishing offices of the Electoral Commission of Zambia (ECZ) at the provincial and district levels;
- In collaboration with stakeholders, develop and strengthen national mechanisms for reconciliation, cohesion and integration among diverse groups in the country;
- Consider holding national referenda and national election separately for logistical reasons and effective dissemination of information to voters; and
- Strengthen the capacity of the media regulatory authority in order to enhance adherence to professional standards of electoral reporting including equitable access to the media by all parties and candidates during elections.

### ***To the Legislature:***

- Enact enabling legislation to effect constitutional provisions for political party funding and campaign finance;

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<sup>1</sup>10 LTOs deployed to observe the pre-election, election and post election environment (17 July-22 August 2016); 45 Short Term Observers to observe campaigning and polling day activities (04 August-14 August 2016).

<sup>2</sup> 43.3% were in urban areas. 56.7% were in rural areas.

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- Consider appropriate affirmative action measures, including quotas, to enhance women's political participation and decision making; and
- Consider enacting legislation that prevents adopting amendments that affect electoral processes at least 12 months prior to an election date.

### ***To the Electoral Commission of Zambia:***

- Undertake a comprehensive audit of the voter register in collaboration with relevant stakeholders before the next elections;
- Conduct continuous voter registration as provided for in the electoral laws of Zambia;
- Continue working with political parties to build confidence in the electoral processes;
- Encourage more equitable, fair and unbiased coverage by the media throughout the election period;
- Encourage equitable and fair access to public media by all political parties in accordance with the Electoral Code of Conduct;
- Undertake measures to reinforce training of polling personnel to increase efficiency and better understanding of polling procedures;
- Undertake measures to train political party agents, political parties, and other relevant stakeholders to enhance understanding of electoral processes, such as results management;
- Increase the number of streams at polling centres to improve voting procedures;
- Ensure that election materials procured are in sufficient quantities and of high quality; and
- Ensure that polling stations are adequately spacious and sufficiently lighted.

### ***To Political Parties:***

- Undertake measures to strengthen internal democracy and observance of rule of law within party structures;
- Adopt measures aimed at improving women's participation and representation in elected positions and address gender equality through internal party regulations and structures;
- Provide sufficient and continuous training of party agents on electoral processes;
- Refrain from the use of intimidation and inflammatory language during campaigning;
- Encourage members to participate in political activities in a peaceful manner; and
- Desist from forming and organising party youth groups with the intention of stirring up election related violence.

***To the Media:***

- Ensure more equitable, balanced and unbiased reporting of electoral campaigning and political party activities;
- Strive for responsible and ethical reporting of electoral processes to contribute to a peaceful atmosphere before, during and after elections; and
- Develop appropriate self-regulatory mechanisms.



## I. INTRODUCTION

1. Following an invitation from the Government of the Republic of Zambia, the Chairperson of the African Union Commission (AUC), Her Excellency Dr. Nkosazana Dlamini-Zuma, deployed an African Union Election Observation Mission (AUEOM) to the Presidential, Parliamentary, Mayoral and Local Council Elections in the Republic of Zambia held on 11 August 2016. Concurrently with the General Elections, the country conducted a Constitutional Referendum on the amendment of the Bill of Rights.
2. The AUEOM was led by H.E. Dr. Goodluck Jonathan, former President of the Federal Republic of Nigeria. The Mission comprised 45 Short Term Observers (STOs) and 10 Long Term Observers (LTOs) drawn from the African Union Permanent Representatives' Committee (PRC), the Pan-African Parliament (PAP), Election Management Bodies (EMBs), Civil Society Organisations (CSOs), and Independent Elections Experts, from 23 African countries<sup>3</sup>. The Mission was supported by technical staff from the AUC, PAP, and the Electoral Institute for Sustainable Democracy in Africa (EISA).
3. The AUEOM to Zambia derived its mandate from relevant African Union's democracy and governance instruments, including the African Charter on Democracy, Elections and Governance (ACDEG)<sup>4</sup>; the AU/OAU Declaration on the Principles Governing Democratic Elections in Africa<sup>5</sup>; the African Union Guidelines for Election Observation and Monitoring Missions<sup>6</sup>; and African Peer Review Mechanism (APRM). Other instruments include the SADC Protocol on Democracy and Good Governance; the Declaration of Principles for International Election Observation endorsed in 2005; and legal frameworks governing the conduct of elections in Zambia.
4. This final report of the AUEOM presents the findings and assessment of the 2016 General Elections as well as recommendations for improvement in future electoral processes.

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<sup>3</sup> Angola, Botswana, Cameroon, Egypt, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Malawi, Namibia, Nigeria, Rwanda, Seychelles, Sierra Leone, South Africa, South Sudan, Sudan, Swaziland, Tanzania, The Gambia, Uganda and Zimbabwe.

<sup>4</sup> African Charter on Democracy, Elections and Governance (ACDEG) came into force on 15 February 2012.

<sup>5</sup> AU/OAU Declaration on the Principles Governing Democratic Elections in Africa (AHG/Decl. 1 (XXXVIII)).

<sup>6</sup> African Union Guidelines for Election Observation and Monitoring Missions was adopted by the Assembly of the African Union Heads of State in July 2002.

## II. OBJECTIVE AND METHODOLOGY

### (a) Objective

5. The main objectives of the AUEOM were to: (i) provide an independent, objective and impartial assessment of the preparations and conduct of the 2016 general elections in Zambia; (ii) assess the extent to which the general elections complied with the legal framework of Zambia as well as regional, continental and international principles for democratic elections, which Zambia has ratified; (iii) offer recommendations for improvement in future electoral processes and contribute to the consolidation of peace and stability in the country; (iv) demonstrate the African Union's solidarity and support for Zambia's democratic and electoral processes.

### (b) Methodology

6. The AUEOM was deployed in two phases: the deployment of 10 long term election experts which took place from 17 July to 22 August 2016 to observe the pre-election phase; and 45 Short Term Observers (STOs) from 1 to 15 August 2016. The deployment of observers was preceded by a Pre-election Assessment Mission (PAM) which was conducted in May 2016.
7. To achieve its objective, the AUEOM undertook the following activities:
  - Meetings with representatives of political parties, the Electoral Commission of Zambia (ECZ), police, civil society organisations and other relevant electoral stakeholders at national, provincial and district levels.
  - Observation of key electoral processes including campaigns by political parties and candidates; training of electoral personnel & domestic observers by the ECZ; simulation of the transmission of results; distribution of materials by the electoral authorities; opening and voting procedures; closing and counting procedure; tabulation and announcement of results.
  - Additionally, the Head of Mission, held high-level consultations with national stakeholders including: the incumbent President of Zambia who was the presidential candidate of the Patriotic Front (PF), H.E. President Edgar C. Lungu; two Opposition Presidential candidates, Hakainde Hichilema and Edith Nawakwi of the United Party for National Development (UPND) and Forum for Democracy and Development (FDD), respectively; the Inspector General of Zambia Police, the Deputy Speaker of the National Assembly; members of the diplomatic corps; and leaders of other international election observer missions present in Zambia.

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- The AUEOM released its pre-election and preliminary findings on 7 and 13 August 2016 respectively, during press conferences held in Lusaka.
- On Election Day, twenty-four teams of observers were deployed in nine (9)<sup>7</sup> of Zambia's ten (10) provinces, where they visited 390 polling stations in 87 constituencies, of which 43.3% were in urban areas and 56.7% in rural areas. The AUEOM also observed the voting and counting procedures.
- During the immediate post-election period, the LTOs continued observing the post-electoral developments, including results collation, announcement and electoral dispute resolution processes.

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<sup>7</sup> Namely Lusaka, Central, Eastern, Northern, Muchinga, Copperbelt, Southern, Western and Luapula.

### III. BACKGROUND TO THE 2016 GENERAL ELECTIONS

8. Since independence in 1964, Zambia has used three different political systems. The first was a multiparty system, which was in place from 1964 to 1972. After that the country went through an authoritarian one party system from 1972 to 1991. During this period, opposition parties were banned. The country only returned to multiparty rule in 1991 following a wind of political liberalization that paved the way for the country's first multiparty elections in October 1991.
9. Since the re-introduction of multiparty politics, the country has experienced three alternations of political power, starting with the victory of the opposition Movement for Multiparty Democracy (MMD) led by the former trade unionist President Frederick Chiluba over incumbent President Kenneth Kaunda. President Chiluba served two terms and left the political scene having failed to amend the constitution that would have allowed him a third term.
10. The selection of Levy Mwanawasa as presidential candidate for MMD in 2006 election caused a split within the ruling party and subsequently led to resignation of some members who formed their own parties: Michael Sata created the Patriotic Front (PF) in 2001, Anderson Mazoka founded the United Party for National Development (UPND) currently the leading opposition party, and Ms. Edith Nawakwi formed the Forum for Democracy and Development (FDD).
11. In spite of the controversies that characterized the selection of Levy Mwanawasa as the candidate of the MMD, he went ahead to win the 2006 presidential election with 43% of the votes against his closest rival, Michael Sata of the PF, who obtained 29% of the national vote. The death of President Mwanawasa in 2008 necessitated the conduct of a by-election, which was again won by the MMD candidate, Rupiah Banda.
12. The 2011 elections ended the 20-years dominance of the MMD with victory of Michael Sata of the opposition PF. Once again, the death of President Sata in October 2014 led to another by-election to elect a new president to complete President Sata's term. Thus on 20 January 2015, the PF candidate Mr. Edgar Lungu was elected president following a poll which international and local observers considered as generally free and fair. President Lungu won with a narrow majority of 27,757 (1.66 percent), receiving 48.3 percent of the vote; the UPND's Hakainde Hichilema received 46.7 percent. Each of the other nine candidates won less than 1% of the votes.
13. While the 2015 elections were deemed generally free and fair, Zambia experienced a historically low voter turnout of 32% of registered voters. Factors attributed to the

low turnout included ineffective civic education program, the absence of voter registration before the election, and general voter apathy.

14. The 2016 Elections were the first held under a constitutional amendment that required the winner of a presidential election to gain more than 50% of valid votes cast. The amendment also required that a president be elected together with a vice president who would complete his/her term of office following the president's inability to complete his/her term. The Elections also took place concurrently with a constitutional referendum on the expansion of the Bill of Rights to include civil, political, economic, social, cultural, environmental and special rights.<sup>8</sup>

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<sup>8</sup> The Referendum also sought to repeal and replace provisions on the Amendment of the Constitution under Article 79.

#### IV. PRE-ELECTION OBSERVATION

15. The pre-election environment was generally peaceful but was marred by incidents of violence between and amongst political party supporters, the use of inflammatory language in comparison to previous elections, a polarised and partisan media (both public and private), inconsistencies in the application of provisions of the Public Order Act by the police, and the use of state resources by the incumbent president for campaigning. The abuse of incumbency in particular contributed to the absence of a levelled playing field.
16. The AUEOM noted that changes to the legal framework including the adoption of amendments to the Constitution, new electoral laws, and establishment of a Constitutional Court to deal with petitions relating to presidential election took place within five months before the dissolution of Parliament (January-May 2016). Further, the Referendum Question was only gazetted on the 23 of May 2016, two and half months before Election Day, when voter education materials had already been developed. This may have had a negative impact on civic and voter education for both the Referendum and Elections.

##### (a) Legal Framework

17. The legal framework governing the 2016 elections were mostly newly promulgated laws, including:
- i. Constitution of Zambia (Amendment) Act No.2 of 2016;
  - ii. Electoral Commission of Zambia Act (ECA) No. 25 of 2016;
  - iii. Electoral Process Act (EPA) No. 35 of 2016; and
  - iv. The Constitutional Court Act No. 8 of 2016;
  - v. The Societies Act Cap 119<sup>9</sup>;
  - vi. Referendum Act 2015<sup>10</sup>; and
  - vii. Public Order Act, Cap 113<sup>11</sup>.
18. In addition to the national legal framework, were regional, continental and international democratic norms that Zambia is party to.<sup>12</sup>

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<sup>9</sup> As it relates to the Registration of Political Parties.

<sup>10</sup> As it relates to the conduct of the Referendum.

<sup>11</sup> As it relates to the maintenance of public order and assembly during public gatherings.

<sup>12</sup> The SADC Principles and Guidelines Governing Democratic Elections; The African Charter on Democracy, Elections and Governance; The African Charter on Human and Peoples' Rights; The Protocol to the African Charter on Human and People's Rights on the Rights of Women; The African Peer Review Mechanism; The Convention on the Elimination of all Forms of Discrimination against Women; The International Convention on the Elimination of Racial Discrimination; The International Covenant on Civil and Political Rights; and the Universal Declaration of Human Rights, among others.

19. The AUEOM observed that Zambia has taken important steps to bring its legislation in line with its international and regional obligations. Specifically, provisions of the Constitutional Amendment that entrench the supremacy of the Constitution, establish a Constitutional Court, guarantee constitutional form of Governance, set limits on tenure of the president, establish fixed dates for elections and protect secrecy of the ballot.<sup>13</sup> Additionally, the amendment confers the responsibility of Returning Officer in a presidential election on the chairperson of the country's electoral commission.<sup>14</sup>
20. Despite taking important steps to bring the legal framework in line with Zambia's regional and continental obligations, the inconsistent application of provisions of the Public Order Act severely restrict the enjoyment of freedoms of movement and assembly by opposition political parties and candidates, to the advantage of the incumbent party.

#### **(a) The Electoral System**

21. The AUEOM noted the changes to the electoral system of Zambia which required a shift from the First-Past-The-Post (FPTP) to a majoritarian system requiring a candidate in a presidential election to obtain more than 50% of valid votes cast to be declared a winner, failure of which a run-off is held within 37 days. Article 110 of the Amended Constitution also introduced the running-mate system where votes for a presidential candidate is equal to votes for a vice presidential candidate.
22. At the National Assembly level, directly elected seats were increased from 150 to 156.<sup>15</sup> Further provisions allowed for the nomination of eight members to the National Assembly, the election of independent candidates to the National Assembly and Local Government levels.<sup>16</sup> Again, new provisions were introduced to allow direct election of mayors and council chairpersons in order to make Local Government officials more accountable to the electorates in accordance with Article 34 of the ACDEG which calls for decentralisation of power to democratically elected local authorities.
23. The AUEOM commends the changes made to the electoral system, which allows for the election of a presidential candidate with a majority support. Consulted stakeholders believe that this further enhances the legitimacy of the elected president and his or her government.

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<sup>13</sup> See Articles 1, 4, 46, 56, 106 and 128 Constitution Amendment Act no 2, 2016.

<sup>14</sup> See Article 99. Previously, the Chief Justice was the Returning Officer and could sit over judgement in case of dispute.

<sup>15</sup> Articles 47, 153 and 154.

<sup>16</sup> Article 51.

**(b) Election Management**

24. Article 17(1) of the African Charter on Democracy, Elections and Governance (ACDEG), and the Southern Africa Development Committee (SADC) Principles and Guidelines Governing Democratic Elections, Article 7(3), both recognise the critical role of a competent, efficient and a capable election management body, for the successful conduct or management of elections.
25. Article 229 of the Amended Constitution established the ECZ and gives it the mandate to manage elections and electoral processes. It also guarantees the functional independence of the ECZ to the extent that it is not subject to the control of a person or an authority in discharging its functions.<sup>17</sup> Further, the Electoral Commission of Zambia Act gives the ECZ broad functions, including *‘the promotion of conditions conducive to free and fair elections.’* Five commissioners were appointed by the President to serve on a full time basis for an initial term of Seven (7) years, with a possibility of reappointment. The appointment of the commissioners is subject to approval by the National Assembly. Members of the Commission, committees of the Commission and staff have immunity for actions taken or omitted in good faith in the exercise of their functions<sup>18</sup>. The ECZ is also a self-accounting institution, which can receive grants and donations from any source within or outside Zambia.<sup>19</sup>
26. The AUEOM noted that the ECZ is yet to establish permanent and decentralised offices in the provinces and districts as provided for in the amended Constitution. In the absence of ECZ structures and offices at the local level, it has to depend on local government structures to carry out its activities at the provincial and local levels.
27. The AUEOM noted that the Electoral Code of Conduct is now part of the Electoral Process Act. The ECZ has the power to disqualify a political party/candidate who breach of the code of conduct.<sup>20</sup>
28. Despite the legal guarantees of the functional independence of the ECZ, the AUEOM noted that, under the Electoral Commission of Zambia Act, the president could remove members of the ECZ at any time and without cause.

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<sup>17</sup> Article 216 of the Constitution (Amendment) 2016.

<sup>18</sup> Section 13 of the Electoral Commission of Zambia Act 2016.

<sup>19</sup> Subject to Presidential approval, Section 14 of the Electoral Commissions Act

<sup>20</sup> Article 110 of the EPA.



### (c) Boundary Delimitation

29. The AUEOM was not present when constituency boundaries were delimited. However, it was informed that the ECZ conducted a boundary delimitation exercise from July-November 2014. The delimitation was carried out in consultation with key stakeholders.<sup>21</sup> However, the exercise was completed only in April 2015 due to the death of former President Sata and preparations for 2015 by-election. Delimitation in the six newly created constituencies therefore took place in March 2016.
30. The delimitation exercise increased the number of wards from 1422 to 1624 (14.2%) and polling districts from 6456 to 7700 (19.3%). Twenty-nine (29) new districts were created across the country (an increase from 74 to 103).
31. The 2016 elections were consequently held in 10 provinces, 103 districts, and 1,624 wards.<sup>22</sup> The ECZ established 7,700 polling stations, including 10,818 streams to serve 156 constituencies across the country.

### (d) Voter Registration

32. The legal framework provides that a Zambian who has attained the age of 18 and holds a national identity card is qualified to be registered as a voter<sup>23</sup>. Section 7 of the Electoral Processes Act provides for continuous registration of voters by the ECZ. The AUEOM was informed that the ECZ conducted a 60-day mobile voter registration exercise between September and October 2015, which was later extended for 21 days in November and December 2015 in selected centres.<sup>24</sup> The national voter registration turnout increased from 62.77% in 2010 to 89.24 in 2016%.<sup>25</sup>
33. The Electoral Processes Act allows for a provisional registration of voters, which includes details of persons entitled to vote in an election or referendum.<sup>26</sup> The AUEOM noted that voters were allowed to inspect the provisional register and verify their registration details with the ECZ. In response to some of the concerns about

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<sup>21</sup> MPs, Traditional leaders and interested members of the public.

<sup>22</sup> Note the wards where local government elections were not held.

<sup>23</sup>Section 5 of the Electoral Processes Act *'Subject to the provisions of section seven, every person shall be qualified for registration as a voter in direct elections who—(a) is a citizen of Zambia; (b) has attained the age of eighteen years; and (c) is in possession of a national registration card and disqualification include in mental capacity, sentence of imprisonment including death sentence, but excluding suspending sentences and default payment of fines.*

<sup>24</sup> Due in part to the delayed issuance of green National Registration Cards (NRCs) by the Department of National Registration, Passport and Citizenship (DNRPC), source: Report on the Mobile Voter Registration Monitoring conducted by the Christian Churches Monitoring Group (CCMG).

<sup>25</sup>Report of the Findings for the Audit of the Provisional Register of Voters of Zambia 12 July 2016.

<sup>26</sup> Section 13.

accuracy and inclusiveness raised by stakeholders, ECZ commissioned an independent audit of the provisional register. The audit found no evidence to support allegations of inclusion of foreigners. Its key recommendations included the need for a physical verification of possible double registrations, identification and removal of deceased persons from the register, the introduction of specific penalties in law related to multiple voter registrations, and the need for procedures that curtail attempts to impersonate deceased and absentee voters to prevent multiple voting and electoral malpractices.

34. The voters' roll used during the 2016 elections was certified on the 31 of July 2016. The total number of registered voters was 6,698,372 (3,325,437 males and 3,372,935 females),<sup>27</sup> an increase of 29% (1,532,288 voters) from the 2015 voter registration exercise.

#### **(e) Candidate Nominations**

35. The AUEOM noted that out of 46 registered political parties in Zambia, only 9 contested the Presidential election. Candidate nominations took place between May and June 2016. Publication of validly nominated candidates took place on the 6 July 2016. All candidates nominated were approved to contest the election. There were 651 candidates for National Assembly, 331 candidates for Mayoral/Council chairperson elections, and 4566 for Council elections.
36. Concerns were raised by stakeholders regarding the high nomination fees<sup>28</sup> and the requirement that candidates must have a minimum education qualification of a grade 12 certificate. The minimum education requirement was viewed as discriminatory given that free education is only up to grade 7 in Zambia. The increase in nomination fees and educational requirement may have impacted on the participation of women in political office.

#### **(f) Civic and Voter Education**

37. Article 31(2) of the ACDEG places responsibilities on state parties to ensure systematic and comprehensive civic education in order to encourage full participation in democracy and development processes.
38. Section 79 and 80 of the Electoral Processes Act of Zambia empowers the Commission and any other juristic persons to provide voter education for elections.

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<sup>27</sup>There are 47,498 more women than men on the voters roll.

<sup>28</sup>Article 71(a), 100 (1) of the Constitutional Amendment lists the payment of fees a requirement for nomination. The Fees are determined by ECZ.

39. The AUEOM noted that voter education was conducted from 30 May to 29 July 2016.<sup>29</sup> The ECZ collaborated with various stakeholders to develop and disseminate information and materials for the general election and Referendum.<sup>30</sup> To ensure reach and accessibility by all stakeholders, information, education and communication materials were translated into several local languages. Short messages, social media platforms, websites, television, radio, and theatre performances were used to disseminate information.

However, civic and voter education for the Referendum may have been insufficient due to the late formulation and dissemination of the Referendum question. The AUEOM noted that the addition of the Referendum to the general elections also increased the complexity of messaging for voters. There appeared to be limited understanding among the citizenry of Zambia on the importance, content and implications of the referendum, despite intensified efforts of the ECZ to popularise the Referendum. The high number of rejected ballots and abstentions for the Referendum indicated that voters did not understand the Referendum Question.<sup>31</sup> The AUEOM also noted that due to time constraints and divergent views on whether to hold the Referendum concurrently with the General Elections by stakeholders, the burden of civic education for the Referendum fell solely on the ECZ.

### **(g) Electoral Campaign**

40. The OAU/AU Declaration on Principles Governing Democratic Elections in Africa provides for the freedom of movement, to campaign and to express political opinions with full access to media and information within the limits of the laws of the country. The official campaign period for the 2016 elections began on 16 May and ended at 1800hrs on 10 August 2016. The AUEOM noted the campaign period was generally vibrant but was marred by incidents of violence, increased use of inflammatory language and political intolerance.

41. Incidents of violence in Lusaka and Southern provinces led to loss of life, injuries, destruction of property and tense political atmosphere in the run up to the elections.<sup>32</sup> This prompted the ECZ to issue a 10-day suspension of public rallies, meetings, processions and door-to-door campaigns by all political parties from 9 to

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<sup>29</sup> AUEOM observed that two voter educators per ward were trained and deployed to conduct voter education. The voter education teams included persons living with disabilities.

<sup>30</sup> Stakeholders included; United Nations Development Programme (UNDP), Civil Society Organisations (CSOs), Faith Based Organisations (FBOs) and the Law Association of Zambia.

<sup>31</sup> Rejected votes were 739,363 while possible abstentions were 436,037.

<sup>32</sup> Other incidents of violence were reported in Monze, Choma, Mazabuka districts in Southern Province, in Kasama and Shiwangandu District in Northern Province.

18 July.<sup>33</sup> Campaigns were restricted to electronic and print media during the ten days in the areas affected. Although the suspension of campaigns was challenged<sup>34</sup>, the suspension seemed to have reduced tensions during that period. It is the AUEOM's view that the suspension may have adversely affected the campaigns of other political parties that were not involved in the violence.

42. Additional measures to manage conflict were noted during the campaign period. The use of Conflict Management Committees and Inter-Party Liaison Committees as well as interventions by religious groups contributed to maintaining peace. The AUEOM recognized the role played by faith-based organisations whose calls for peaceful campaigns and elections contributed to the reduction of political tensions. To this end, some faith based organisations convened activities such as a National Day of Prayer, and inter-party dialogue<sup>35</sup> for contesting political parties, attended by 18 leaders of political parties contesting the elections. The AUEOM noted efforts by the ECZ in convening a peace dialogue involving presidential candidates towards commitment to peaceful electoral process.
43. The AUEOM noted inconsistencies in the application of provisions of the Public Order Act (POA) during the campaign period. Section 5(4) of the POA provides for every person who intends to assemble or convene a public meeting, procession or demonstration to give the police seven days' notice in writing. The Supreme Court, in May 2016<sup>36</sup>, ruled that the police were required to give reasons for their failure to police public meetings, processions or demonstrations.
44. The AUEOM's interlocutors indicated that in some instances the police did not always provide reasons for their failure to offer protection for campaign rallies. In other instances such notification was issued on the day of the rally and often not in writing.<sup>37</sup> The AUEOM also noted that some political parties did not provide detailed campaign schedules to the police while those that did did not always adhere to them.
45. Under the Public Order Act, where a party is not satisfied with the reasons given by the police, it has the right to appeal to the relevant Minister within 10 days, thereafter the decision of the Minister may be challenged in the High Court within 30 days. The

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<sup>33</sup> ECZ invoked Section 28(2) and (3) of the Electoral Process Act which give the Commission power to amend the election timetable if it considers it necessary for a free and fair election or determine the campaign period.

<sup>34</sup> FDD petitioned the Constitutional Court to declare the suspension of campaigns illegal. As at the time of writing this report, the Constitutional Court had not made a determination on the matter.

<sup>35</sup> The Council of Churches in Zambia (CCZ) comprises, three Church mother bodies, the Council of Churches in Zambia (CCZ), the Evangelical Fellowship of Zambia (EFZ) and the Zambia Episcopal Conference (ZEC).

<sup>36</sup> Law Association of Zambia -vs- the Attorney General 2016.

<sup>37</sup> The police should respond to organisers' notification five days before the event.

AUEOM was not provided with evidence that political actors had exhausted these remedies during the campaign.

#### **(h) Political Party and Campaign Finance**

46. The AUEOM noted the absence of party and campaign finance provisions in the legal framework. Such a vacuum opens the electoral process to the undue influence of money and makes the electoral playing field uneven. Given that there is no public funding of political parties and candidates, parties rely on limited but diversified sources of funds to cover campaign expenses.<sup>38</sup> Article 60 (4) of the Constitutional amendment established the Political Parties Fund and provides for prescriptions by law of related accounts and auditing. It further makes provisions for prescription of sources of funding and maximum amounts to be used for campaigns during elections. However, Parliament is yet to enact relevant legislation and other enabling regulations to effect the constitutional provisions.
47. The uncontrolled influence of money could impact on the fairness of the process by tilting the access to resources in favour of some parties to the disadvantage of others. Estimates indicate that political parties spent over 11 million USD on rallies. 54% of this was expended by only one political party.<sup>39</sup>
48. The AUEOM also noted allegations of use of state resources for campaigns by the ruling party. The Principles for Election Management, Monitoring and Observation in the SADC Region recommend that “the use of public resources for political campaigns and political party activities should generally be avoided but, if permitted, access thereto must be equitable and paid for, and conditions of such access and payment must be clearly provided for in the law.”<sup>40</sup> Under Zambian Law, it is an offence under the Electoral Code of Conduct to use government or parastatal vehicles or facilities for campaign purposes.<sup>41</sup>
49. The stakeholders the AUEOM interacted with complained about the lack of clarity regarding the interpretation of Articles 116, 117 and 72(1) of the amended constitution, which provides for when the office of a minister becomes vacant. These articles were interpreted by the Executive to mean that Ministers remain in office after the dissolution of Parliament until the swearing in of a new president.<sup>42</sup> This

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<sup>38</sup> Fundraising dinners, donations, and membership fees.

<sup>39</sup> Source: Campaign finance monitoring done by the Zambian Elections Information Center (ZEIC) between May 16 and August 10 2016.

<sup>40</sup> Article 4.7 of the Principles for Election Management, Monitoring and Observation in the SADC Region.

<sup>41</sup> Section 15(k) Exception is granted to the President and Vice President in connection with their respective offices.

<sup>42</sup> President Edgar Lungu in his State of the Nation address, on 13 May 2016, indicated that Cabinet Ministers would continue to serve after dissolution of parliament.

had the unintended consequence of Ministers abusing the privileges associated with the use of government resources and, as such, may have led to abuse of state resources, where such ministers used government facilities for campaign purposes. The Law Association of Zambia filed a petition challenging the continued occupation of office by Cabinet, Provincial and deputy ministers, after the dissolution of Parliament. The Constitutional Court, on 8 August 2016, ruled in favour of the Law Association that ministers should not remain in office after Parliament has been dissolved.

50. The AUEOM acknowledged that the use of state resources to campaign was difficult to regulate. The AUEOM also noted the Constitutional Court's interpretation, to the effect that Ministers could not remain in office after the dissolution of parliament. However, the Court's decision was delivered rather late, and may not have had an immediate significant impact on the Elections, but had ramifications for the post-election period, as the judgement ordered the ministers to refund to the Treasury the allowances, salaries and other benefits received after the dissolution of parliament.

#### **(i) Participation of Women as Candidates**

51. Article 9 of the 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) calls for equal representation in political decision making. The SADC Declaration on Gender and Development puts this threshold at 50% by 2015. The ACDEG enjoins member states to create necessary conditions for full and active participation of women in decision-making processes and electoral processes and ensure gender parity in representation at all levels, including the legislature.<sup>43</sup>

52. Women in Zambia constitute more than 50% of the population. This also reflects the gender proportion of the registered voters for the 2016 elections. Despite being a demographic majority, women are less represented politically as demonstrated by the participation of women in the 2016 elections. At the presidential level, one of the nine candidates and three running mates were women. At parliamentary level out of the 651 candidates contesting National Assembly seats, only 106 (16.3%) were female. Of these 106 candidates, 11 contested as independents. Out of 331 candidates for Mayoral and Council Chairpersons, 40 (12.1%) were women.

53. The AUEOM noted that women's participation as candidates in elections Zambia remains below the international and regionally recognised threshold of 30%.

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<sup>43</sup> Articles 29 and 31 of the African Charter on Democracy Elections and Governance.

**(j) Participation of Civil Society Organisations, Youth and Persons Living with Disabilities in the Electoral Process**

54. The AUEOM noted that Zambian citizens participate in public affairs through political parties and other non-governmental organisations. Several interlocutors informed the Mission that civil society organisations (CSOs) continued to operate freely. CSOs participated in all facets of the electoral process including legal reform advocacy, media monitoring, conflict resolution, civic and voter education ahead of the 2016 General Elections and Referendum. In addition, local CSOs were accredited to monitor and observe the General Elections. As part of their efforts to monitor key electoral processes, some CSOs conducted Parallel Vote Tabulation (PVT).
55. The AUEOM noted the holistic participation of youth and people living with disabilities in electoral processes, through the conduct of civic and voter education, as polling officials, and party agents.
56. The AUEOM also noted ECZ efforts to make electoral processes more accessible to persons living with disabilities by among other things, developing sign language DVDs, and adopting the use of braille tactile folders.

**(k) The Media**

57. The AU Charter on Democracy Elections and Governance and the SADC Principles and Guidelines Governing Democratic Elections recognise the vital role played by the media in a democratic state. The Independent Broadcasting Authority (IBA) of Zambia is the official government body that regulates both private and public radio and television broadcasting agencies in Zambia. Print and social media, on the other hand, remain largely unregulated.
58. Article 50 of the Constitution (amended) provides for access to the Media by political parties and candidates during elections. Section 29 of the Electoral Process Act provides for all parties and candidates to have their campaigns and manifestos covered and reported in a balanced manner by all public media. The Electoral Code of Conduct requires public television, radio and electronic media to allocate public airtime equally to all political parties and candidates.
59. Despite provisions guaranteeing media access to political parties and candidates, media coverage of the 2016 elections remained unbalanced throughout the pre-electoral and electoral period. A study of electoral coverage commissioned by the

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Media Institute of Southern Africa (MISA), a regional civil society organisation, showed that during the period, public media covered the PF 49.9%, UPND 19.8%, while the rest of the political parties received coverage 30.3% of the time.<sup>44</sup>

60. Although the government owned Zambia National Broadcasting Corporation (ZNBC) is required by law to provide equal coverage to political parties, in practice this did not take place, with the national broadcaster covering the ruling party and government almost exclusively. The AUEOM observed that ZNBC prime time news programmes provided extensive coverage of government officials opening large infrastructure projects countrywide. It was often not clear whether the officials were officiating at ceremonies in their capacity as government officials or as representatives of the incumbent party as there was often constant reference to the government and party in power as being responsible for development.
61. The AUEOM also observed that during the announcement of results by ECZ, ZNBC TV1 Presenters concentrated mainly on reviewing results of Constituencies won by the ruling party (PF).
62. Most of the stakeholders the AUEOM interacted with agreed that the media environment in Zambia remains highly polarised and partisan. Consultations with AUEOM interlocutors pointed to the partisan nature of the public media in favour of the ruling party. Private media was also strongly associated with partisan reporting in favour of opposition parties.
63. In June 2016, the Supreme Court ruling in favour of the Zambian Revenue Authority (ZRA) led to the seizure of the assets and subsequent grounding of the printing press of the *Post Newspaper*, allegedly for its failure and default in paying taxes.<sup>45</sup> This action generated a perception amongst stakeholders interviewed that the Government was targeting the newspaper whose editorial content was perceived to be pro-opposition. In the context of a campaign period where political parties had limited access to public media, the shutting down of the *Post's* printing press meant that the electorate was denied access to political views presented by other political actors.
64. The security of journalists was identified as an area of concern by interlocutors from both public and private owned newspapers, forcing some media houses to send

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<sup>44</sup>Media Institute of Southern Africa (MISA)-Zambia, Media Liaison Committee and BBC Media Action, "How the media covered the 2016 Zambia General Elections" 2016.

<sup>45</sup> According to research conducted by IPSOS, the *Post*, and its sister paper the *Sunday Post* were the most widely read newspapers in Zambia.



junior and less known reporters to cover political rallies secretly for fear of being victimised and or intimidated.

65. Access to social media and internet remained unrestricted and individuals, groups, political contestants could freely express their views via the internet. However, there remains a need for creation of appropriate media regulations and agreed norms to guide the use of social media as some citizens and political parties are alleged to have used these platforms to disseminate inaccurate information regarding the ongoing electoral processes, forcing the ECZ to continually respond to rumours and inaccurate information so as to prevent escalation of political tensions.
66. The AUEOM noted that social networks, blogs, and websites provided additional opportunity for citizens to access timely and pertinent election related information. The Mission noted that most CSOs in Zambia utilised social media accounts and website to share their respective organisations' preliminary election statements as well as and have official statements and announcements of ECZ.

### **(I) Election Dispute Resolution**

67. The Electoral Process Act<sup>46</sup> provides for the resolution of minor electoral disputes using Conflict Management Committees (CMCs) established at national and district levels. The Electoral Code of Conduct requires CMCs to resolve or encourage amicable settlement of disputes within 24 hours from the date of receipt of complaints. AUEOM noted that CMCs dealt with complaints ranging from minor incidents of violence to defacing of campaign posters.
68. At the highest level, the Chief Justice has the power to establish *ad hoc* Tribunals to hear petitions related to Local Government Elections. The High Court also has original jurisdiction to hear election petitions for Members of Parliament within 90 days of filing, while the Constitutional Court has original jurisdiction to hear petitions relating nomination of presidential candidates and presidential elections. The Constitutional Court also has the power to review decisions of the ECZ in the delimitation of constituencies and wards and appellant jurisdiction to hear election petitions of members of Parliament and councillors. Petitions challenging the election of the President should be filed at the Constitutional Court within 7 days of declaration of presidential election results. Finally, the Constitutional Court is mandated to hear the election petition within 14 days after it has been filed.

69. The AUEOM noted that there may have been ambiguity as to whether the Constitutional Court had to make a determination on the petitions within the

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<sup>46</sup> Section 113.

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timeframe stipulated to hear the petition. Interlocutors raised concern that since the Constitutional Court only became operational on 27 May 2016,<sup>47</sup> it may not have had sufficient infrastructure in place to expeditiously deal with petitions.

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<sup>47</sup> Sibongile Zulu v the Electoral Commission of Zambia and the Attorney General 2016/HB/24: A case relating to constitutional provisions introducing the Grade 12 minimum certificate requirement for nomination to presidential, national assembly and local government offices which was heard in the High Court on the 10<sup>th</sup> of May 2016 because the Constitutional Court was not yet operational.

## V. ELECTION DAY OBSERVATIONS

### (a) Opening the Poll

70. The AUEOM observed the opening of polls at 24 polling stations in nine provinces and 23 districts. Nineteen (19) of the polling stations were in urban areas while five were in rural areas.
71. All 24 of the teams reported a peaceful environment inside and outside the polling centres, and no incidents of campaign materials or visible campaigning near the perimeter of the centres were reported.
72. Sufficient election materials were present at all 24 stations in time for the opening of polls at 0600hrs. Observers reported long queues at all polling stations prior to the opening. Twenty five percent (25%) of the polling stations did not open at 0600hrs, but all 24 teams reported that voting had begun at no later than 0630hrs at the stations observed. In most of these cases, delays were caused by the opening procedures taking longer than anticipated by polling staff.
73. Ballot boxes were sealed correctly, in the presence of party agents and observers, in every station where AU observers monitored the opening of polls.

### (b) Polling Stations

74. The AUEOM observed voting at 390 out of 7,700 polling stations on Election Day. Long queues were observed at 72.2% of polling stations visited. The AUEOM noted that 7.3% of the polling stations visited were not easily accessible for the elderly and persons living with disabilities. In most cases, this was due to physical impediments such as difficult terrain and polling stations being above ground level.
75. In 99.4% of the stations visited, the layout of the polling stations guaranteed the secrecy of ballot and the smooth flow of voters. Party agents and observer groups were present in 99.7% of stations visited.
76. The AUEOM observed overcrowding in polling stations visited. This, the AUEOM noted, was largely due to the large number of voters per stream, the voter identification process, and the number of ballots which slowed the voting process.

**(c) Voting Process**

77. The AUEOM observed the voting process at 390 polling stations. In general, the AUEOM was satisfied with the voting process in most polling stations visited.
78. In 99.7% of all voting stations, the AUEOM observed that voters' credentials were checked against the voters roll, and the voters were asked to present both their voters' and national registration cards to polling officials.
79. In 6.7% of the stations visited, observers witnessed voters being turned away, and in most cases, this was either as a result of the voters not having the correct voter credentials or presenting themselves at the wrong polling station/stream. In such cases, observers confirmed that most voters were directed to the right voting stream.
80. Voters' thumbs were marked clearly with indelible ink in 99.4% of stations visited. In stations where voters' thumbs were not inked, it was observed that this was due to the shortage of indelible ink.
81. Priority and/or assistance was given to persons living with disabilities and the aged in most polling stations (89.5%) visited. Where assistance with the casting of ballot was required, the AUEOM observed that personnel of ECZ did it professionally.
82. No forms of irregularities were observed in 99.4% of voting stations. In stations where some irregularities were reported, observers noted the failure to stamp the ballot papers with a self-inking stamp. 7.5% of stations visited had run out of materials during the visit, in most cases either the indelible ink or the ink inside the self-inking stamps. In some stations, voters requiring specific assistance with how to fold and cast their ballots in the correct ballot boxes caused delays.

**(d) Polling Personnel**

83. Most polling stations were managed by an average of seven (7) ECZ officials, 54% of whom were women. The observers also noted the high representation of young people among the ECZ polling staff.
84. In most stations, the AUEOM reported that the staff performed their duties competently, and in accordance with the laws and electoral regulations of Zambia.

**(e) Party Agents and Independent Observers**

85. All polling stations (100%) visited were monitored by political party agents.<sup>48</sup> Party agents expressed no reservations to the AUEOM in 87.3% of the polling stations visited. The main reservations raised by some party agents included challenges in verifying voters on the voters roll and the indelible ink marks not being applied correctly on thumbs of voters.
86. Citizen observer groups were present in 60.4% of the polling stations visited. In two (2) stations, citizen observers expressed concern regarding the conduct of the party agents interfering in the voting process.

**(f) Security Personnel**

87. Security personnel were present at all the 390 voting stations visited, and remained present during the closing and counting processes. In 229 stations, AU observers described the security presence as 'discreet' and only in one (1) station was security presence described as 'insufficient'.
88. The AUEOM observed peaceful environment in 99.7% of the polling centres visited with exception of one (1) incident of chaotic queue control. Cognisant of the tensions preceding the polls, and specific incidents of intimidation and violence between party supporters in some areas, the AUEOM was satisfied with the generally calm and orderly nature of the voting process.

**(g) Closing and Counting Process**

89. The AUEOM observed closing and counting procedures in 22 voting stations, in 9 provinces and 21 districts. Eighteen (18) of the stations were in urban areas, while 4 were in rural areas.
90. AUEOM observers noted that 63.6% of the stations visited closed at 1800hrs while 8 stations remained opened to allow those already in the queue to cast their votes. The AUEOM observed voters still in the queue at some of the polling stations and all of these voters were able to cast their ballots before the station closed.
91. In all 22 stations, the counting was conducted at the polling station. 90.9% of the stations where the count was observed carried out the counting process in accordance with the laws and regulations of Zambia. No AU teams reported observing irregularities with the ballot boxes, and in 20 of the stations, the

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<sup>48</sup> Mostly from PF, UPND and FDD.

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reconciliation was properly conducted. In two (2) stations, no reconciliation was observed prior to the count beginning.

92. It was noted that lighting was a challenge during the count in five (5) polling stations (4 rural and 1 urban). The count was conducted in full view of party agents (who were present for the count in all 22 stations), and observer groups. Two (2) stations reported witnessing party agents interfering in the counting process.

## VI. POST ELECTION OBSERVATION

### (a) Result Tabulation

93. Section 74 of the electoral Process Act, allows the use of electronic means to transmit results from polling stations. ECZ established results tabulation process that enabled a transmission of results from the polling stations to the constituency collation centres and electronic transmission to the National Tabulation Centre located in Lusaka. Party agents, monitors and observers were present at each stage of the transmission process. Party agents were also present for the results verification process.
94. Concerns were raised by stakeholders that the results tabulation process was not completed at some polling stations and was carried over to the constituency collation centre.<sup>49</sup>

### (b) Announcement of Results

95. Section 73 of the Electoral Processes Act mandates the returning officer to tally, announce and declare the results of a Presidential Election as soon as they are received. The Law does not provide a stipulated timeframe within which to announce election results, leaving it to the discretion of the ECZ. For the 2016 elections, ECZ committed to announcing results within 48 hours after the close of polls at all polling stations.
96. ECZ officially announced the final results of the Presidential Election on 15 August 2016, at the National Results Centre. The PF presidential candidate, Edgar Lungu, gained a total of 1,860,877, attaining the set threshold of more than 50% of valid votes cast and was declared the winner of the Presidential Election. His main challenger, UPND opponent Hakainde Hichilema, obtained 1,760,347. The table below shows the results of Presidential Elections.

**Table 2: Results of the 2016 Presidential Election**

	<b>Candidate Name</b>	<b>Party</b>	<b>Votes</b>
1.	LUNGU, Edgar C	PF	1,860,877
2.	HICHILEMA, Hakainde	UPND	1,760,347
3.	NAWAKWI, Edith Z	FDD	24,149
4.	BANDA, Andyford M	PAC	15,791
5.	KABIMBA, Wynter M	RAINBOW	9,504

<sup>49</sup> CCMG verification statement 15 August 2016

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6.	CHISHIMBA, Saviour	UPP	9,221
7.	KAUNDA, Tilyenji C	UNIP	8,928
8.	SINKAMBA, Peter C	GREENS	4,515
9.	MWAMBA, Maxwell	DA	2,378
<b>Total Registered Voters</b>		<b>6,698,372</b>	
<b>Total Votes Cast</b>		<b>3,781,505</b>	
<b>Total Votes Rejected</b>		<b>85,795</b>	
<b>Turnout</b>		<b>56.45%</b>	

*Source: Electoral Commission of Zambia*

97. ECZ announced the Referendum result on 19 August 2016. The official tabulation by the ECZ indicated that 3,345,471 people voted in the Referendum with 1,852,559 in favour of the Referendum and 753,549 against the Referendum while 739,363 votes were rejected. As such, the total number of votes cast in the Referendum was less than the constitutionally set threshold of 50% of eligible voters. Consequently ECZ declared the referendum unsuccessful.

### **(c) Petition challenging the Election Results**

98. Following the announcement of the final results, the UPND expressed reservation at the outcome of the election and on 19 August filed a petition at the Constitutional Court challenging the elections results. The UNPD petition meant that the inauguration of the president-elect had to be postponed to 13 September 2016 after the Constitutional Court had dealt with the case.

99. UPND petition to the Constitutional Court prayed it to cancel the results of the Presidential election on the grounds that the candidate Edgar Lungu and his Vice were not validly elected and that their election did not conform to the electoral framework of the Zambia. The petition further argued that did not receive the required 50% plus votes to be elected into the presidency. Consequently, the UPND prayed the Court to declare its candidates as the winners of the elections and to disqualify Lungu from taking part in a second ballot should the Court decide otherwise.

100. The petition filed by the UPND was subsequently dismissed on 5 September 2016 on technical grounds on the basis that the 14 day constitutional period for hearing of the petition as stated in article 101 (5) had expired at midnight, Friday, 2 September 2016 before the petition could be heard.



## VII. CONCLUSION AND RECOMMENDATIONS

### (a) Conclusion

101. Following its observation, the AUEOM concluded that the Electoral Commission of Zambia (ECZ) conducted the elections in a largely professional and competent manner. The Mission also concluded that in spite of some incidents of election-related violence, the elections were conducted in a largely peaceful atmosphere. AUEOM advocates for the development and strengthening of national The AUEOM applauds the people of Zambia, political parties and candidates for their commitment to upholding democracy. The AUEOM commends ECZ for measures undertaken to enhance the integrity and transparency of the electoral process.

102. Based on its observations and findings, the AUEOM offers the following recommendations to improve future electoral processes:

#### ***To the Executive:***

- Provide the necessary support for establishing offices of the Electoral Commission of Zambia (ECZ) at the provincial and district levels;
- In collaboration with stakeholders, develop and strengthen national mechanisms for reconciliation, cohesion and integration among diverse groups in the country;
- Consider holding future referenda and national elections separately for logistical reasons and effective dissemination of information to voters; and
- Strengthen the capacity of the media regulatory authority in order to enhance adherence to professional standards of electoral reporting including equitable access to the media by all parties and candidates during elections.

#### ***To the Legislature:***

- Enact enabling legislation to effect constitutional provisions for political party funding and campaign finance;
- Consider appropriate affirmative action measures, including quotas, to enhance women's political participation and decision making; and
- Consider enacting legislation that prevents adopting amendments that affect electoral processes at least 12 months prior to an election date.

#### ***To the Electoral Commission of Zambia:***

- Undertake a comprehensive audit of the voter register in collaboration with relevant stakeholders before the next elections;

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- Conduct continuous voter registration as provided for in the electoral laws of Zambia;
- Continue working with political parties to build confidence in the electoral processes;
- Encourage more equitable, fair and unbiased coverage by the media throughout the election period;
- Encourage equitable and fair access to public media by all political parties in accordance with the Electoral Code of Conduct;
- Undertake measures to reinforce training of polling personnel to increase efficiency and better understanding of polling procedures;
- Undertake measures to train political party agents, political parties, and other relevant stakeholders to enhance understanding of electoral processes, such as results management;
- Increase the number of streams at polling centres to improve voting procedures;
- Ensure that election materials procured are in sufficient quantities and of high quality; and
- Ensure that polling stations are adequately spacious and sufficiently lighted.

### ***To Political Parties:***

- Undertake measures to strengthen internal democracy and observance of rule of law within party structures;
- Adopt measures aimed at improving women's participation and representation in elected positions and address gender equality through internal party regulations and structures;
- Provide sufficient and continuous training of party agents on electoral processes;
- Refrain from the use of intimidation and inflammatory language during campaigning;
- Encourage members to participate in political activities in a peaceful manner; and
- Desist from forming and organising party youth groups with the intention of stirring up election related violence.

### ***To the Media:***

- Ensure more equitable, balanced and unbiased reporting of electoral campaigning and political party activities;
- Strive for responsible and ethical reporting of electoral processes to contribute to a peaceful atmosphere before, during and after elections; and
- Develop appropriate self-regulatory mechanisms.

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**ANNEX 1: DEPLOYMENT PLAN**

<b>Team</b>	<b>Name</b>	<b>Country</b>	<b>Province</b>	<b>Base</b>
	H. E. Goodluck Jonathan	Nigeria	Lusaka	Lusaka
	Dr. Khabele Matlosa	Lesotho		
	Mr. Thierry H. Ngoufan	Nigeria		
	Hon. Joseph MBAH-NDAM	Cameroon		
	Mr. Samuel M. Atuobi	Ghana		
	Mr. Emmanuel Okechuku Ibe	Nigeria		
	Ms. Sharon Ndlovu	Zimbabwe		
	Mr. Kakai Francis	Kenya		
	Ms. Hope Nsangi Mary	Uganda		
Mr. Ian Goredema	Zimbabwe			
1	Hon. Justice Rita Makarau	Zimbabwe	Lusaka	Lusaka
	Mr. Adeyemo, O. Abioye	Nigeria		
2	Hon. Ali Awadalla Ali	Sudan	Lusaka	Lusaka (Chongwe)
	Ms. Florence Kebbie	Sierra Leone		
3	Hon. Milly Odhiambo	Kenya	Lusaka	Lusaka (Kafue)
	Prof. Merga Bekana	Ethiopia		
	Ms. Gashegu Kampire Catherine	Rwanda		
4	Mr. Andrew Pooe	South Africa	Central	Mkushi
	Ms. Abena Aseda Takyi-Mensah	Ghana		
5	Mr. Harris S.B Potani	Malawi	Central	Kapiri
	Mr. Layi-Kayode Iyanda	Nigeria		
6	Mr. Richard Marc Labrosse	Seychelles	Central	Kabwe
	Ms. Moleboheng S. Tsolo	Lesotho		
7	Mr. Ekwulo Innocent Izoma	Nigeria	Eastern	Petauke
	Ms. Paulina Dempers	Namibia		
8	Ms. Moleboheng S. Tsolo	Lesotho	Eastern	Katete
	Mr. Kelvin M. Karanja	Kenya		
	Mr. Mbho Shongwe	Swaziland		
9	Mr Philip Fara Kargbo	Sierra Leone	Eastern	Chipata
	Mr. Nasir Mansur Mahmoud	Nigeria		
10	Ms. Rosina T. Naukushu	Namibia	Northern	Mbala
	Mr. Fortune Nhengu	Zimbabwe		
11	Mr. Teboho Goodwill Nalane	Lesotho	Northern	Kasama
	Ms. Muzi Biranga Marlène	Rwanda		
12	Mr. Luis Kandangongo	LTO Angola	Muchinga	<u>Northern Province &amp; Muchinga</u>
	Mr. Jersa Kide Barsaba	South Sudan		
13	Mr. Fasil W. Kebede	Ethiopia	Muchinga	Chinsali
	Mr. Mohamed F. Mohamed	Egypt		
14	Mr. Mohamed Sabbahy	Egypt	Muchinga	Isoka
	Ms. Karen Ogle	LTO South Africa		
15	Ms. Hellen Mdeza	Malawi	Copperbel	Chingola

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<b>Team</b>	<b>Name</b>	<b>Country</b>	<b>Province</b>	<b>Base</b>
	Mr. Mannir Ibrahim	Nigeria	t	
16	Ms. Dalia Eissa	LTO	Copperbel	<u>Ndola</u>
	Mrs. Salha Moh'd ALI	Zanzibar	t	
17	Mr. Agoha Ifeanyichukwu	LTO	Copperbel	Kitwe
	Ms. Deborah D. Nansamba	Uganda	t	
18	Ms. Anne Kathurima Judy	Kenya	Southern	Namwala
	Mr. Ibrahim Al-bakri Nyei	Liberia		
19	Mr. Maximillian Kolbe	LTO Ghana	Southern	Livingston
	Ms. Doreen K. P. Kgabi	Botswana		
20	Mr. Absolom M. Shalakha	Kenya	Southern	<u>Choma</u>
	Ms. Matete Pontso	LTO Lesotho		
21	Ms. Hannah Forster	The Gambia	Western	Mongu
	Mr. Abdul-Latif Ibrahim	Ghana		
22	Ms. Martha Luleka	Tanzania	Western	Senanga
	Mr. Meshach Ampwera	Uganda		
23	Ms. Masechaba Mdaka	South Africa	Luapula	Mansa
	Mr. Augustus Samuel Davies	Sierra Lone		
24	Mr. Samkelisiwe Sithebe	Swaziland	Luapula	Samfya
	Mr. Tanki Josias Mothae	Lesotho		

**Coordination Team**

1. Dr. Khabele Matlosa: Director, Political Affairs.
2. Mr. Samuel Atuobi & Ms. Sharon Ndlovu: Coordinators.
3. Mr. Emmanuel Ibe: Bureau of the Chairperson.
4. Mr. Milimo Ngululu: Finance Officer.
5. Mr. Eric Haketta: Finance Officer.
6. Mrs. Vivian Abii: Pan African Parliament (PAP).
7. Mr. Grant Masterson, Mr. Mukenyi Badibanga & Ms. Marie Laure Digneu (EISA).
8. Mr. Demeke Tesfaye: Database Coordinator.
9. Ms. Sanatek Haile: Administration & Secretary.