

Introduction

Commonwealth Heads of Government have expressed their collective wish to assist member countries in strengthening their democratic processes and institutions, and the Commonwealth has given priority to providing this assistance whenever a request has been received from a member country. In particular, it has, within the past year, mounted election observer missions to Malaysia and Bangladesh. The Commonwealth has also been helping Mozambique with its preparations for multi-party elections under the auspices of the Mozambique Special Fund set up by Commonwealth Governments and is preparing to observe the general elections in Guyana.

Following the decision in December 1990 by the Government of Zambia to hold multi-party elections, the Commonwealth Secretary-General was invited by the Government to send a mission to observe the conduct of the elections. Having secured the agreement of all political parties, the Secretary-General duly constituted our Group. In carrying out our mission, we were mindful of the renewed commitment to human rights and good government which Commonwealth Heads of Government had made at their meeting in Harare which ended the day before we arrived in Lusaka. This commitment reaffirmed the Singapore Declaration of 1971 which had first articulated Commonwealth support for the rule of law, human rights, economic development and accountable government.

Composition of Observer Group and Terms of Reference

It was against this background that our Group of thirteen members observed the Presidential and National Assembly elections. The composition of the Group and our support staff from the Commonwealth Secretariat is set out in Annex 1.

We had as our terms of reference the following:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Zambia supported by the political parties. It is to observe every relevant aspect of the organisation and conduct of the elections in accordance with the law of Zambia relating to elections. Its function is to ascertain whether, in its impartial judgment and in the context of that law, the elections have been free and fair.

The Group has no executive role; its function is neither to supervise nor act as a commission of inquiry but to observe the process as a whole and to form a judgment accordingly. It is to submit its report initially to the Secretary-General and to the Government of Zambia, and thereafter to the leadership of the political parties taking part in the elections.

It was immediately clear to us that our terms of reference encapsulated a deceptively wide sweep of the election processes which we were to observe and on which we would have to report. The scale of our task was obvious. Zambia is a big country – 752,620 sq km of land, greater than the combined areas of France, Belgium, the Netherlands and Switzerland, with a recorded population of eight million spread thinly over the country. It is divided into nine administrative provinces with

high population concentrations in the urban area of Lusaka, the capital city, and in the cluster of towns and cities in the Copperbelt Province. The electorate was just under 3 million voters scattered over vast distances between the 3,489 polling stations widely dispersed throughout the country to service sparsely populated polling districts.

Nevertheless, we believed that adequate arrangements could be made to monitor an acceptably wide cross-section of the electorate. We were encouraged in this belief by the fact that other observers, both international and local, would be present and that they too had the support of all interested parties. Among these observers were the Carter/NDI Group; the Organisation of African Unity (OAU); the Zambia Election Monitoring Co-ordinating Committee (ZEMCC); the Zambia Independent Monitoring Team (ZIMT); and the Law Society of the United Kingdom. ZEMCC and ZIMT were recently formed NGOs, organised by Zambians, which appeared to have the confidence of both main political parties.

We were therefore satisfied that there was a desire on the part of all political parties that the conduct of the elections should be open to public scrutiny and efforts would be made to conduct the elections in accordance with the law. The decision to allow both international and local observers having been made, the Government issued a general information handbook for the guidance of Observers. We found this to be a useful document.

Method of Work

In keeping with established practice, a Planning Mission headed by the Deputy Secretary-General (Political), Sir Anthony Siaguru, visited Zambia in August 1991 with the objective of ascertaining whether the presence of a Commonwealth Observer Group would be welcomed by the major political parties and other interested groups in the country and of assessing the logistic needs of such a Group. The Planning Mission reported that the presence of a Commonwealth Observer Group would not only be welcomed but was seen as an important component in the efforts being made to hold genuinely free and fair elections.

By a happy coincidence the end of the Commonwealth Heads of Government Meeting (CHOGM) made it possible for us to be briefed in Harare by the Secretary-General immediately before we arrived in Lusaka on Wednesday 23 October. The Secretary-General emphasised the significance of our observation exercise for democracy, not only in Zambia but also in the wider Commonwealth, and our responsibility to discharge our task in an impartial manner. He said that leaders at the CHOGM had identified as a major goal of the Commonwealth the development of democratic institutions in which citizens participated fully and freely. We therefore saw our role as part of a process of encouraging the democratic ethos through the holding of free and fair elections.

We arrived in Lusaka accompanied by five Commonwealth Secretariat support staff. Four support staff had preceded us to set up our office and prepare for our arrival. Recognising that consultations with as many participants in the elections as possible would assist us in focusing on issues of controversy between the contesting political parties, useful contacts had been made prior to our arrival. On 15 October our arrival was foreshadowed in a press statement. On 18 October a letter was issued in the name of our Chairman and on behalf of our Group, advising all political parties of our presence and inviting them to contact us so that we could hear their views (Annex II). On our arrival we issued a statement setting out our task (Annex III).

Although we had been forewarned not to expect much logistic or material support from the Government, owing to the lack of resources, we received courteous co-operation from Government officials. This contributed in large measure to our ability to operate independently at regional level.

As a result of the publicity following our appointment and arrival, as well as the personal contacts made by our advance support team, we found a full programme of visits and meetings awaiting us. We had useful consultations with the Carter/NDI Group, ZEMCC and ZIMT on different aspects of the electoral process and agreed to co-operate to the fullest extent possible. At all our meetings with officials and the media, we emphasised our impartiality, independence, and our determination to canvass the opinion of as wide a cross-section of the electorate as possible. We also issued regular Press Releases in order to inform the media and the public of our activities. These Releases are at Annex iv. As a result we were contacted by a large number of interested groups representing a full cross-section of political opinion in the country. A list of our more significant engagements is at Annex v.

We spent four days together in Lusaka and, in the light of our consultations, decided on what we believed would be the most effective deployment of our Group. Accordingly, during the weekend prior to polling day and in teams of either two Observers or in some cases one Observer accompanied by a member of our support staff we dispersed to all nine Provinces, viz Lusaka; Central; Copperbelt; Eastern; Luapula; Northern; North-Western; Southern and Western (Annex vi). This gave us the chance to visit most of the districts we planned to cover on polling day and to inspect the arrangements that had been made by local election officials for the poll. We were able to meet local candidates and their support teams in urban and rural areas as well as members of the general public. We took every opportunity to explain the nature and extent of our task, and were heartened to note that those we met appeared reassured by our presence.

By polling day, 31 October, we were fully prepared, and well before 0600 hours when the polls were due to open, we were all deployed inside at least one polling station in each of the nine provincial capitals. We inspected not only the arrangements in place before commencement of polling, but also each stage of the process to determine whether procedures laid down in the election regulations had been followed. Due to the nature of the terrain and the distances involved we were limited in the total number of polling stations we were able to visit. This was particularly true of the vast Western, Northern and North-Western Provinces. Nevertheless, we travelled freely between polling stations within a wide radius. This allowed us sufficient flexibility and the option to revisit any polling station without losing one of our most valuable assets – the element of surprise. It also enabled us to be present at selected polling stations in order to observe the close of poll.

Our distinct Commonwealth emblem was prominently displayed on all our vehicles and our equally distinct armbands attracted attention wherever we went. We received the fullest possible co-operation from the public and the authorities. In the event we visited 215 polling stations on polling day. The observation notes which guided our inspection visits are at Annex vii.

We observed the count at a number of counting centres and were thus, on the basis of what we considered to be an acceptably wide sample of count reports, able to form a preliminary view, and issued a statement. This was immediately conveyed to the Secretary-General (see Annex viii). We finalised our Report before leaving Lusaka.