

Acknowledgements

The Presidential and general elections in Zambia were events of great historical significance and we wish to record our gratitude to the people of Zambia for allowing us to share this event with them and for the warm welcome they gave us everywhere we went.

We would like to thank the officers of the Ministry of Foreign Affairs for the courtesies they extended to us and for their unfailing assistance in arranging appointments on our behalf. Our appreciation also goes to the Election Officers in all the Provinces who provided excellent assistance and co-operation in the field as we visited polling stations and counting centres. We would also like to thank the Chairman and member of the Electoral Commission as well as their staff who took the time to see us and to answer all our questions. We would wish to record our satisfaction with the level of co-operation achieved with other international observer groups, and local monitoring bodies.

The willingness of political party leaders to talk to us about the problems they faced during the campaign was most helpful and made us feel that our presence was welcomed. Their contributions made our task more challenging at times but they were always helpful and constructive. We completed our task with great admiration for the people of Zambia who demonstrated genuine kindness towards us wherever we went.

Finally, we wish to record our gratitude to the Commonwealth Secretary-General, Chief Emeka Anyaoku, for providing us with the opportunity to serve Zambia and the Commonwealth on this historic occasion. We also wish to record our thanks to the Commonwealth Secretariat team, ably led by Mr Carl Dundas, for their dedicated and excellent support.

ANNEXES

ANNEX I

Composition of the Commonwealth Observer Group

Rt Hon Mr Justice Telford Georges (Trinidad & Tobago) (Chairman)

Justice Telford Georges, who was born in Dominica, is a national of Trinidad & Tobago where he was a judge of the High Court before going on to be Chief Justice in Tanzania, Zimbabwe and the Bahamas in that order. He has held many high public offices in the Caribbean and other parts of the Commonwealth including most recently that of Chairman, Regional Constituent Assembly of the Windward Islands. Justice Georges is a member of the International Commission of Jurists and a Privy Councillor. He continues to work as part-time Appellate Judge and freelance consultant. His higher education was at the University of Toronto and the Middle Temple, London.

Mr Fakhruddin Ahmed (Bangladesh)

Mr Ahmed's long public service career started in Pakistan where he had reached the rank of Director-General, Ministry of Foreign Affairs before Bangladesh became independent. Thereafter his career included service as ambassador to several countries culminating in 1986 as Foreign Secretary. Earlier this year after the fall of the Ershad Government, he was appointed as Foreign Policy Adviser to the interim Government. He trained in diplomacy at the Fletcher School of Law and Diplomacy in the USA. In recent years he has served on several observer groups in elections in South and South East Asia.

Dr Kalidu Bayo (The Gambia)

Dr Bayo is Permanent Secretary, Ministry of Education, Youth, Sports and Culture in The Gambia. He has served in several other sectors of the public service in his country including being Supervisor of Education. He had a brief stint as a university lecturer. His university education was in the USA, where he took a PhD at Northwestern University.

The Hon Jean-Jacques Blais (Canada)

Mr Blais is a former Liberal National Defence Minister of Canada. He has also held the posts of Minister of Supply and Services, Solicitor General, and Postmaster General. He was elected to the House of Commons in 1972, 1974, 1979 and 1980; and has also been a Privy Councillor. His higher education was at the University of Ottawa and Osgoode Hall Law School, Toronto.

The Hon James Carlton, MP (Australia)

Mr Carlton is currently Conservative Shadow Minister for Policy Co-ordination and Development in Australia and has held a series of other shadow Ministry positions including Treasury and Defence. He was first elected to Parliament in 1977 and

served as Minister for Health in the Malcolm Fraser Government. He is a science graduate of the University of Sydney.

Datuk Harun Din (Malaysia)

Datuk Harun is currently the Chairman of the Election Commission of Malaysia. He has held various high positions in the public and private sectors including Chairman, Kelang Port Authority, Deputy Secretary-General, Prime Minister's Department, Secretary-General, Ministry of Housing and Local Government and Chairman, Bank Rakyat. His university education was at the University of Singapore.

Dr (Mrs) Najma Heptullah (India)

Dr Heptullah is Deputy Chairman in India's Upper House of Parliament. She is a zoologist by profession and also has a doctorate degree in cardiac anatomy. She is a Fellow both of the Academy of Zoology, India, and the Zoological Society, London, and is a member of the Indian Science Congress. She is particularly active in women's causes. She has been a member of the Upper House since 1980 and General Secretary of the All India Congress Committee. She has published widely in foreign and Indian journals.

Mrs Shirley Miller (Jamaica)

Mrs Miller, the Director of Law Reform, Jamaica, has served in several important legal posts in her country. She is a Member of the General Legal Council and was appointed Queen's Counsel (Jamaica) in 1971. She has served as an independent member of the Electoral Advisory Committee of Jamaica since its establishment in 1979 and was recently an Observer at the El Salvador elections (1991) and at the Panama Elections also in 1991. She is a graduate both of the University of London and of the University of the West Indies.

Ms Emma Nicholson, MP (Britain)

Ms Nicholson is Chairman of the Conservative Party Backbench Environment Committee in Britain. She entered Parliament in 1987 and has been active both as a professional and volunteer in charity work including being Director of Fundraising for the Save the Children Fund. Earlier she worked as a computer programmer and software engineer. She is a Fellow of the Royal Society of Arts and author of various articles and pamphlets.

The Rt Hon Edward Schreyer, PC (Canada)

Mr Schreyer is a former Governor-General of Canada and NDP Premier of Manitoba. He was elected to the House of Commons in 1965 and has served as a minister in several ministries at the federal level. He has also held ambassadorial posts. He is a Privy Councillor. Earlier in his career he was an academic and currently has returned to university life as a visiting professor at the University of British Columbia.

The Hon Kerry Sibraa (Australia)

Senator Sibraa, the President of the Senate of Australia, began his political career in 1968 as an Organiser for the New South Wales Branch of the Australian Labour Party and was Assistant General Secretary from 1973-75. He has served as a Labour Party Senator from as early as 1975. He has also been President of the Commonwealth Parliamentary Association.

Mr Raymond Sock (The Gambia)

Mr Sock is Director of the African Centre for Democracy and Human Rights Studies in The Gambia. After an early career in teaching and the civil service, he qualified as a barrister and eventually rose to the rank of Solicitor General. His interest in human rights led to his playing a substantial role in the establishing of the first major regional NGO in Africa dedicated to this subject. His university education was both in the USA and Britain.

Lord Tordoff (Britain)

Lord Tordoff, the Chief Whip of the Liberal Democratic Party, House of Lords since 1988, is a former President of the Liberal Party and also has served as Chief Whip of that party. He was a senior executive of Shell International for many years. Recently he served as a member of an Observer Team to the elections in Bulgaria. His higher education was at the University of Manchester.

SECRETARIAT SUPPORT STAFF

Mr Carl Dundas (Jamaica) (*Team Leader*)

Mrs Patsy Robertson (Jamaica) (*Press Officer*)

Mr Richard Nzerem (Nigeria)

Dr Neville Linton (Trinidad & Tobago)

Mr Ian Thomas (Britain)

Mr Dominic Sankey (Britain)

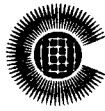
Ms Zainah Anwar (Malaysia)

Ms Jean Fryer (Britain)

Ms Amita Patel (India)

ANNEX II

Letter to Political Parties



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
Fax: (260) (1) 254005/250995
Telex: ZA44720 PAMHO

c/o Pamodzi Hotel
Church Road
PO Box 35450
Lusaka, Zambia

18 October 1991

I am writing to you on behalf of the Commonwealth Observer Group which will start work in Zambia on 24 October.

The Group comes to Zambia inspired by the commitment to strengthening democratic institutions in member countries, reaffirmed in 1989 by Heads of Government in Kuala Lumpur. This commitment is clearly reinforced by the invitation to us to observe your elections. Despite our diverse backgrounds and experience, we are all from Commonwealth democracies, and come in a constructive, and open-minded spirit. All of us serve in our personal capacities, not as representatives of our governments.

To discharge our functions effectively we attach great importance to establishing personal contact with you and the leaders of the other political parties. You are most welcome to contact us at the Pamodzi Hotel.

A list of our members and a copy of our Terms of Reference are attached.

Yours sincerely,



Carl Dundas

(Leader of the Secretariat's Support Team to the Observer Group)
for Chairman

encl.

COMMONWEALTH OBSERVER GROUP - ZAMBIAN ELECTIONS

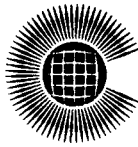
TERMS OF REFERENCE

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 parties taking part in the elections.

ANNEX III

Press Statement Issued on Arrival in Lusaka



Commonwealth News Release

ZAMBIA OBSERVER GROUP: STATEMENT

We have been sent to Zambia by the Commonwealth Secretary-General Chief Emeka Anyaoku following a request for a Commonwealth Observer Group from the Government of Zambia.

Our broad task will be to observe every relevant aspect of the organisation and conduct of the Presidential and Parliamentary elections in accordance with the law of Zambia. A Commonwealth Secretariat Planning Mission has confirmed to us that the parties involved in the elections welcome our presence here.

We have no executive role. Our function is not to supervise nor act as a commission of enquiry but to observe the process as a whole and to form a judgement based on those observations. Our conclusions will reflect our independent collective judgement and will be submitted in a report to the Commonwealth Secretary-General who will make it available to the Zambian Government and political parties, and subsequently to Commonwealth Governments.

As part of our work we will be in touch with all the major political parties and will be travelling to different parts of the country before and on elections day. We are delighted to be here in Zambia and are privileged to be present at this historic time.

23 October 1991

Issued by the Information Division, Commonwealth Secretariat, Marlborough House, Pall Mall, London SW1Y 5HX, Britain. Tel: 071-839 3411; Fax: 071-930 0827; Telex: 27678

ANNEX IV

Press Releases



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
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c/o Pamodzi Hotel
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Lusaka, Zambia

PRESS RELEASE

BUSY DAY FOR COMMONWEALTH GROUP

The presence of the Commonwealth Observer Group for the forthcoming elections will instil confidence in many people throughout Zambia including the members of the Electoral Commission. This statement was made today (Friday) by the Chairman of the Electoral Commission, Mr Justice M Ngulube as he and his colleagues held a two-hour meeting with the Commonwealth Observers at his office this morning.

The 13-member Commonwealth group was beginning its first full day of meetings and was led by the Chairman, the Rt Hon Mr Justice Telford Georges. Also present at the meeting were Mr. W.P.Nyirenda, member of the Electoral Commission, Mr J.D Sikazwe, Secretary to the Commission as well as Mr G Phiri, Director of Elections and Mr R.S. Mwansa, Acting Assistant Director of Elections.

In a wide-ranging discussion, the Group asked for and was given a detailed account of the preparations for the elections and addressed such questions as voter registration, arrangements for the security of the ballot, the polling and counting processes, the provision of lists of polling stations and other administrative matters covering all activities on election day.

The Commonwealth Group also raised the question of the State of Emergency and its effects on the campaign, as well as the question of the issuing of police permits for political meetings and rallies.

The Group was shown samples of the ballot box and given a detailed demonstration of the measures which have been put in place to safeguard the integrity of the electoral process. Many questions were asked by members of the Group about all aspects of the electoral process and they brought to the notice of the Commission a number of complaints which had been referred to them by political and other groups.

At the end of the meeting, Mr Justice Georges said that it had been an extremely informative meeting and that the Electoral Commission had a clear view of the scope of the arrangements which had to be made for the proper conduct of the forthcoming elections. There was no doubt that members of the Commission were fully aware of the history of suspicion which dogged such elections and that they were dealing with this problem. Mr Justice Ngulube made it clear that in his view, the presence of the Commonwealth Group would help to restore confidence in the entire process and for that reason he welcomed them.

In keeping with its mandate the Group has been meeting with representatives of political parties and members of monitoring groups. It has met with the MMD, UNIP and the SDP. Members of the Group have called on the Electoral Officer for Lusaka, Mr Mushingi and have held meetings with the Zambia Independent Monitoring Team (ZIMT). In the evening, some members attended campaign rallies and meetings.

25 October 1991



Zambian Elections

Commonwealth Observer Group

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Lusaka, Zambia

PRESS RELEASE for weekend Saturday October 26 and Sunday 27, 1991

The Commonwealth Observer Group and other observer groups have been invited to monitor the Zambian elections in response to criticisms that they would not be conducted in a free and fair manner. This statement was made by President Kenneth Kaunda when he had an hour-long meeting with the Commonwealth group at State House on Friday evening.

In a warm speech of welcome, President Kaunda said that invitations had been extended to several organisations, including the Organisation of African Unity, the Carter Centre and the Commonwealth, to send independent observer groups to monitor this historic multi-party election. He was pleased that the Commonwealth had responded and noted that the Group comprised many distinguished Commonwealth citizens.

In the wide-ranging discussion which characterised the meeting, the point was made that with the advent of multi-party democracy and opposition allegations of rigging, the presence of observers would be beneficial to the country at this time.

The question of the State of Emergency was raised by the Chairman of the Commonwealth Group, the Rt Hon Telford Georges, who said that there was no doubt that the fact of its existence would have a psychological effect on the average citizen, particularly in the heightened atmosphere of a general election campaign.

The meeting with the President was one of a series of meetings which the Commonwealth Observer Group has been undertaking since its arrival in Zambia last week. The Group has now had meetings with representatives of all political parties, beginning with the MMD on Thursday last and ending with the meeting on Friday with Lt. General B Mibenge, Chairman UNIP Election Management Committee. The Group also called on the Inspector-General of Police Mr Zuuga Siakadima and held discussions with him and his colleagues Mr Christopher Mhango, Commissioner of Police, Mr John Kilimboyi, Deputy Commissioner of Police - Operations and his Assistant, Mr Emmanuel Lukonde.

Meetings have also been held with Mr Mushingi, the Electoral Officer for the Lusaka area and with representatives of other election monitoring groups in Zambia.

In all their meetings, the Commonwealth Observer Group has been gathering information about the organisation of the elections and receiving complaints from political parties and other interested groups. The complaints have focussed on the registration of voters, particularly the disenfranchisement of young people who have reached voting age since October last year; the conduct of the campaign including the withholding of permits for opposition political rallies in the Lusaka area; the failure of the Electoral Commission to allow the counting of ballots at the polling stations and the concern for the security of ballot boxes and ballot papers.

The Commonwealth group has also been approached by local monitoring groups to use their good offices to facilitate the accreditation in good time of their officials in order to enable them to observe the activities at polling stations and the counting of the ballots. The Chairman, Mr Georges specifically raised the matter when he with Lt. Gen. Mibenge on Friday afternoon.

The Observers have now completed their meetings as a full body with senior political leaders, the management and senior staff of the Electoral Commission as well as with the head of police and security officers. The Observers have now been deployed in teams throughout the country, being based in all provincial capitals, where they will observe the polling and the count before returning to Lusaka to prepare their report.

The Chairman Mr Telford Georges will remain in Lusaka to observe the preparations for and conduct of the polls in the Lusaka Province. He intends to visit counting centres in urban Lusaka.



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PRESS RELEASE

Statement by the Chairman of the Commonwealth Observer Group

On the eve of the Zambian elections, the Chairman of the Commonwealth Observer Group, the Rt Hon Telford Georges issued the following statement:

The Commonwealth Observer Group has now spent over a week in Zambia looking into every aspect of the conduct of the elections which will be held tomorrow. We have been stationed in all provincial capitals and Lusaka and we have spent much time talking to and listening to all parties contesting the elections. We have had a chance to share with the people of this fellow Commonwealth country these extraordinary days, when in peaceful assembly, thousands have turned out to participate in these elections to restore multi-party democracy to Zambia.

I know that all other Commonwealth member countries are taking a keen interest in the outcome of this process, and that it is their wish that your elections will be peacefully and successfully completed.

For our part, my colleagues and I pledge that, as we visit polling stations tomorrow and monitor events, and as we make our presence known at counting centres, we will be pursuing our task in an impartial manner in the best interests of the people of Zambia.

30 October 1991

ANNEX V

List of Significant Engagements

Thursday 17.10.91	1130	Advance Team arrived in Lusaka
	1630	Advance Team met with: The Chief Justice, the Hon Mr Justice A M Situngwe (as Returning Officer for the Presidential Elections)
	1730	Deputy Chief Justice, the Hon Mr Justice M M Ngulube (as Chairman of the Electoral Commission)
Friday 18.10.91	1130	Meeting with Director of Elections, Mr G R Phiri Deputy Director, Mr Mwansa Secretary to the Commission, Mr Sikazwe
	1710	Meeting with MMD
Saturday 19.10.91	1145	Meeting with National Party for Democracy President Mwanza
Monday 21.10.91	1130	Meeting with Ministry of Foreign Affairs
	1730	Meeting with Carter/NDI group
Wednesday 23.10.91	1940	Observers arrived in Lusaka
Thursday 24.10.91		<i>Independence Day – Public Holiday</i>
	1100	Meeting with MMD
	1500	Press Conference (at the Pamodzi)
Friday 25.10.91	1000	Meeting with Electoral Commission
	1400	Meetings with: Carter/NDI group
	1430	Electoral Officer, Lusaka Urban (Mr Mushinge)
	1545	Dr Owen Sichone, Chairman, and other SDP members

	1600	ZIMT
	1630	UNIP
	1830	Meeting with the President, State House
Saturday 26.10.91/ Sunday 27.10.91		Departure of Observers Teams to Provinces <i>All Provincial Teams:</i> Attended Electoral Officer at Civic Centres to register presence <i>Lusaka Team:</i> Meetings with:
	1600	Carter/NDI Group (Pamodzi Hotel) Richard Joseph, Larry Garber, Jay Taylor, Eric Bjornlund and Eric Bratton;
	1700	Mozambique Delegation (Pamodzi Hotel) Mariano Matsiue, Minister with Portfolio Aires Amaral, Ministry of Justice Rui Abjiaia, Frelimo Central Committee Reg Austin, Professor of Law Akin Adegbola, SARDC Team Rapporteur
Monday 28.10.91		<i>All Teams:</i> Meetings with political parties, candidates and agents Visited polling stations Attended campaigns/rallies as appropriate <i>Lusaka only:</i> Meetings with:
	1430	Judge Ngulube, Chairman Electoral Commission;
	1515	Mr Mushinge, Electoral Officer Mr Sikazwe, Secretary of the Commission, Lusaka Urban, re polling stations
Tuesday 29.10.91/ Wednesday 30.10.91		<i>All Teams:</i> Visits to Rural Districts Meetings with electoral officers, candidates and agents as appropriate Visited sample presiding and returning officers to check state of readiness for poll, visited polling stations Identified polling station for observing opening of poll on 31.10.91 and counting centre for observing count

- Lusaka Only:
Meetings with:
- 0800 Mr Albert Nkolomba, Chairman
People's Organisation;
- 1000 Ms Dorothy Holt, Australian
High Commissioner for Zambia
resident in Zimbabwe;
- 1030 OAU Delegation headed by
HE Chief Segun Olusola, Ambassador
of Nigeria to Ethiopia and the OAU
Dr Christopher Bakwesogla + 4 others;
- 1145 Law Society of London group
Mr Jim Horrocks/Mr David Salmon
Mr Guy Scriven/Mr Michael Peach
- 1330 MMD rally with Mr Chiluba speaking
(John Laing Compound)
- 1530 Dr Mwase, PTA, met the Chairman
- 1930 Carter/NDI group

Thursday
31.10.91

POLLING DAY

All Teams:

Attended selected polling station before commencement of poll (0600) and observed opening and compliance, or otherwise, with regulations:

- (i) names of candidates to be published inside and outside polling stations;
- (ii) instruction notices to voters as to the procedure for casting votes;
- (iii) candidates' symbols;
- (iv) observe empty ballot box before locking and sealing and commencement of voting

Observed polling at polling stations at random throughout province, and observed procedures at close of poll at selected polling station for compliance with regulations

Where count at different place from polling place, observed compliance, or otherwise, with regulations for dispatch of box to returning officer

Observed count

Friday 1.11.91	0900	Working Breakfast with Mr Jimmy Carter Carter/NDI group Return of Observer Teams from the Provinces
Saturday 2.11.91	1100	Swearing-in Ceremony HE Mr Frederick Chiluba
Monday 4.11.91		Departure from Zambia

ANNEX VI

Deployment of Observers

Area/Province	Observer Team/s	Support Staff
1. Lusaka Province	Rt Hon Mr Justice Telford Georges	Mr Carl Dundas Mrs Patsy Robertson
2. Central Province	Dr Najma Heptullah	Mr Richard Nzerem
3. Copperbelt Province	Datuk Harun Din Hon Kerry Sibraa	Mr Ian Thomas
4. Eastern Province	The Rt Hon Edward Schreyer	Dr Neville Linton
5. Luapula	Hon Jean-Jacques Blais Mr Raymond Sock	
6. Northern Province	Mr Fakhruddin Ahmed Ms Emma Nicholson	
7. North-Western Province	Dr Kalidu Bayo Hon James Carlton	
8. Southern Province	Mrs Shirley Miller	Mr Dominic Sankey
9. Western Province	Lord Tordoff	Ms Zainah Anwar

ANNEX VII

Observation Notes for Polling Station Visits

Observation Notes

■ Part A

The Observers may focus particular attention on the following aspects of the election conduct:

Political Campaign

1. The nature of access to the electronics media available to the opposition parties.
2. The procedure (if any) for the allocation of time for political broadcasts and advertisements on the radio and television.
3. The nature of access enjoyed by the political parties to the print media.
4. The tone and contents of political broadcasts, advertisements and posters put out by the political parties.
5. The conduct of political meetings.
6. The conduct of house-to-house canvassing of voters.
7. The voter education programme on the radio and television conducted by the Director of Elections.
8. Permits for public meetings.
9. Effects of curfew.
10. Access to printing facilities.
11. Access to funds and sources of funds.
12. Access to state services.

Conduct of the polls

1. The siting of polling stations.
2. The accuracy of the list of electors at the polling stations.
3. Distances travelled by voters to polling stations in rural areas.

4. The length of time voters waited to cast their votes.
5. The steps (if any) taken to ensure that the secrecy of the ballot is assured.
6. The performance of the election officers at the polling station visited.
7. The procedure followed at the opening of the poll.
8. The adequacy or otherwise of polling stations' facilities.
9. The incidence of the loss of registration card.
10. The number (if any) of persons with national identity cards but without voters' card who were not allowed to vote.
11. The procedures in place to ensure the proper security of ballot papers, ballot boxes and official seals.
12. The general electoral environment that prevailed at the polling stations visited.
13. The transportation of the ballot boxes after the close of the polls.
14. The state of readiness of polling stations.
15. Availability of adequate supplies, eg ballot papers, sealing wax, etc.
16. Security of ballot papers prior to elections.
17. Access of party agents at all critical points, including transfer of ballot boxes.

The count

1. The process of reconciling the number of names that voted with the ballot stubs received.
2. The determination of invalid ballots which are stamped rejected.
3. The conduct of the returning officers and their counting assistants.
4. The preparation of the Declaration of the Result of the Poll.
5. Inspection of seals.

Registration

1. Likely percentage of potential voters denied registration through early closure of rolls.
2. Procedures to challenge by voters of their exclusion from the rolls.

■ Part B

Questions that may be put:

Before Polling Day

1. Is electoral register full and correct? People missed off? Are there names of dead people/people who have moved away included?
2. Are election officials confident about arrangements? Are political parties and local notables (priests, lawyers, etc) satisfied?
3. Is the man in the street satisfied with arrangements? Will he vote? If not, is he afraid to do so?
4. Has the campaign been free of intimidation, etc? Have all parties had full access to media?
5. Is advertising (posters, leaflets, etc) free?
6. How will voters' IDs be checked? Will it be possible to vote twice?
7. How will those away from home or ill in bed be able to vote?

On the day

1. Before polling starts, are the ballot boxes empty? Are they properly sealed?
2. Are all procedures agreed beforehand being adhered to?
3. Are all parties represented at polling stations? Are they satisfied with process?
4. Are IDs being properly checked?
5. Are voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
6. Do voters understand procedures properly? If not, are they being explained fully and impartially? Are attempts being made to suggest how they should vote?
7. Is only one person at a time allowed into the voting booth? Do their ballot papers go straight into the sealed box?
8. How long are voters waiting to vote? If a long time, are some being put off?
9. Who will run the procedures on the day? Will they be ex-Party people? How were they chosen?

10. Will all parties be present at polling stations throughout voting and count?
11. Will foreign observers have free access to all stages of process?
12. Are voters being asked suspicious questions after leaving the ballot box?

After Voting

1. Are the boxes kept safe until opened? Are all parties/observers present at opening?
2. Does the number of used ballot papers tally with the record of those who have voted?
3. Are the papers counted properly? Are any valid ones being spoiled during counting, intentionally or not?

Polling Station Report

Name/Team:

Polling Station Visited:

Time:

ACCESS	Comments (if necessary)	
Were you allowed full access to the polling station?	Yes	[]
	No	[]

OFFICIALS

Were you received well by officials?	Yes	[]
	No	[]
Did they have any comments or complaints?	Yes	[]
	No	[]

MOOD

Was the mood	Orderly?	[]
	Tense?	[]
	Violent?	[]
	Excited?	[]
	Happy?	[]

IF YOU SPOKE TO VOTERS

- were they happy to talk?	[]
- generally satisfied?	[]
- did they have any complaints?	[]
were any of these:	intimidation? []
	harassment? []
	unfairness? []
	confusion? []

GENERAL COMMENTS ON APPARENT FAIRNESS:

ANNEX VIII

Interim Conclusions



Zambian Elections

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PRESS RELEASE

**Statement by the Chairman of the Commonwealth Observer Group,
The Rt. Hon. Justice Telford Georges, on the Presidential and
National Assembly Elections of Zambia on 31 October 1991**

The Zambian multi-party elections were conducted in a calm and orderly manner and gave the people of Zambia the opportunity to vote for the Presidential and National Assembly candidates of their choice. The results should therefore fully reflect the will of the Zambian people. The entire election process has shown that there is a basis in Zambia for the development of multi-party democracy. There is no doubt that events on Election Day throughout the country will provide lessons for other countries which intend to change to a plural political system.

The interim conclusion reached by the Commonwealth Observer Group is that the elections were free and fair up to the close of the poll and the time when results are still being declared.

This conclusion is based on the detailed monitoring of the arrangements for the elections during the past week when Commonwealth Observers carried out random samplings of polling sites in several constituencies in the nine Provinces. In checking on the arrangements for the elections, the Group met with the Electoral Commission, political parties including UNIP and MMD, police and security officials, election officials and other interested parties.

On polling day, Commonwealth Observers were on the scene before the commencement of the poll at 6 am in order to satisfy themselves that the proper procedures for the opening of the poll were being applied. They spent the entire day making unscheduled visits to polling stations to note whether the procedures laid down by law were being followed, observing the conduct of the poll, examining the registers, making contact with independent monitors and party agents on duty in every polling station to find out whether there had been any complaints, and speaking to voters outside polling stations. We had no complaints of intimidation or of voters being prevented from exercising their right to vote.

Our observations were that the majority of election officers consistently sought, fairly and firmly, to ensure that the prescribed procedures were followed and to assist voters wherever difficulties occurred. The problems which we noted, or were reported to us, were in our view due to lack of administrative resources and predictable human error.

In all our visits, election officers were anxious to be helpful, to explain anything on which we sought information and to give us access to their documents. The process was open - an important ingredient in fairness.

Finally, we must record our admiration for the Zambian people, whose behaviour throughout the day combined maturity, patience and good humour; qualities which augur well for the stability of the Third Republic.

1 November 1991

ANNEX IX

List of Political Parties

United National Independence Party (UNIP)
Freedom House
Lusaka

Tel: 211996

Multi Racial Party (MRP)
Plot 3190
P O Box 30471
Matero
Lusaka

Movement for Multi-Party Democracy (MMD)
Plot No. 8599
Lumumba Road
Lusaka

Tel: 263088

National Democratic Alliance
(NADA)
Plot 5623, Makeni
P O Box 33751
Lusaka

Christian Alliance for the
Kingdom of Africa (CHAKA)
Plot No. 87A
Buntungwa Street
P O Box 80589
Kabwe

National Party for Democracy
(NDP)
ZAMEFA Building
P O Box 32727
Lusaka

Democratic Party (DP)
4 Kabinga Avenue
P O Box 71628
Kabwe

Peoples' Organisation (PO)
P O Box 480176
Chinsali

JAC Democratically Debating
Party (JADEPA)
P O Box 81147
Luanshya

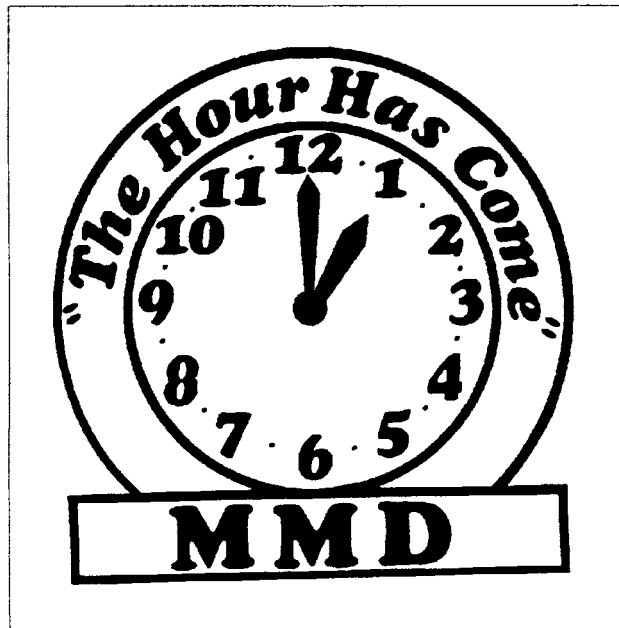
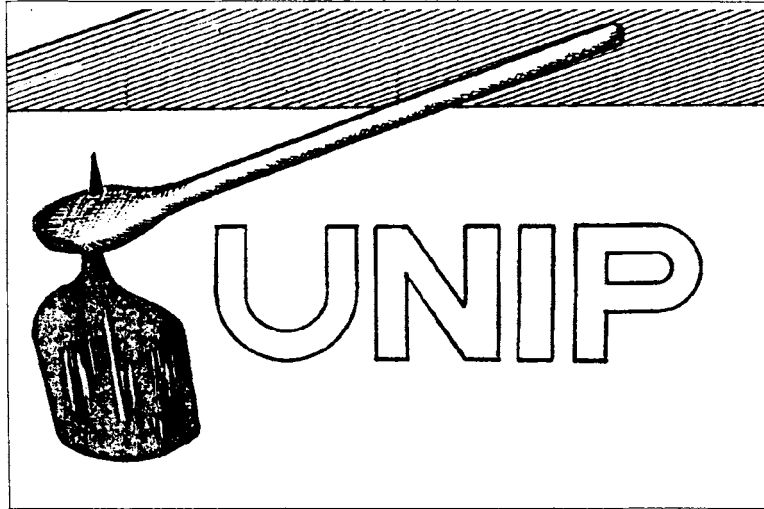
Social Democratic Party (SDP)
House No 7
UNZA Institute for
African Studies
P O Box 37264
Lusaka

Movement for Democratic Process (MDP)
P O Box 90902
Luanshya

Theocracy Spiritual Party (TSP)
Lisimba and Company
2nd Floor, Zimco House
P O Box 35929
Lusaka

ANNEX X

UNIP and MMD Election Logos



ANNEX XI

Structure of Election Tasks

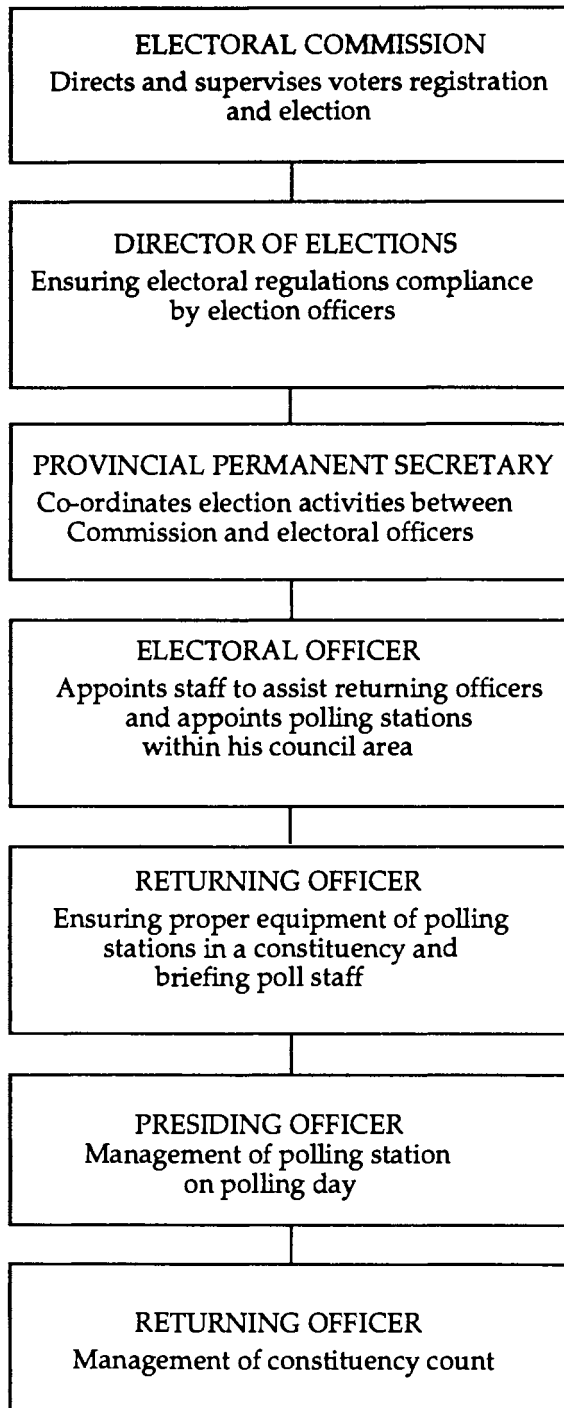


Chart by National Assembly

ANNEX XII

Letter to Chairman of UNIP Campaign Concerning Allegations Against Observer Groups



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
Fax: (260) (1) 254005/250995
Telex: ZA44720 PAMHO

c/o Pamodzi Hotel
Church Road
PO Box 35450
Lusaka, Zambia

27 October 1991

Dear General Ribunge,

I write as Chairman of the Commonwealth Observer Group in connection with allegations made in full page advertisements published in recent issues of The Times of Zambia by the Public Relations Unit of your Party.

The allegations include the statement that "most of the so-called Observer Groups are in actual fact not election monitors, their assignment is to facilitate the removal of the UNIP Government and replace it with a puppet one like had happened in many parts of the world." The advertisement further states that "the strategy of imperialism is to use the so-called election monitors to influence the outcome of the elections in favour of the MMD. In the event that UNIP wins the elections, which is most likely, the observer groups will certify that the elections were not free and fair".

We raised the issue when we met with you on Friday, October 25, and we understood you to say that the language of the advertisement had been bungled, that reference to the Commonwealth Observer Group was not intended, that the advertisement had been aimed at local groups and dealt solely with matters of internal controversy. We repeated our protest in the interview with the President, H E Dr Kenneth Kaunda, at which you were present and nothing was said then to indicate that your earlier statement had been in any way altered.

It was therefore with considerable surprise that we noted that the offending advertisement appeared again unchanged in the edition of The Times of Zambia on Saturday, October 26 - the day after our interview.

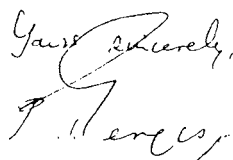
In the circumstances, I must ask that you make a public retraction of the allegations in so far that they include the Commonwealth Observer Group, having regard to the fact that your private retraction has been followed by another publication of

the advertisement.

The circumstances leading to the presence of the Commonwealth Group in Zambia are too well known to need elaboration. In his statement to us the President himself made clear that he had issued the invitation to the Commonwealth Secretary-General to send the team. Similar teams have observed elections in Malaysia and Bangladesh and the assessment has been that their labours have contributed to the proper conduct of the polls and the creation of public support for the credibility of the results.

You will appreciate that the distinguished members of the Group, all of whom serve or have served in positions of great responsibility from the many countries from which they come, are particularly outraged at the allegation that they are part of a plot against this country.

It is therefore important that you should publish promptly a full retraction of the allegations.



The Rt Hon Telford Georges
Chairman
Commonwealth Observer Group

Lt General B Mibenge
Chairman, Campaign Committee
UNIP
Freedom House
Cairo Road
Lusaka

ANNEX XIII

Reply from UNIP



EMCO

ELECTION MANAGEMENT COMMITTEE.

EMCO/TV/90

28 October, 1991

Dear Rt Hon Georges,

I write to acknowledge receipt of your two letters both dated 27 October, 1991 on the subjects of payment for our Advertisements and our UNIP Public Relations Unit (PRU) Advertisement of 25 and 26 October, 1991.

On payments for our Advertisements, I have written to the Director General of the Zambia National Broadcasting Corporation asking him to furnish you with the information you need. He has indicated that he will make this directly to you.

With regard to your protest on the Advertisement, I passed on your concerns to the Public Relations Unit which has since responded positively by withdrawing it from any further appearance. It had not been possible to stop its publication in the Saturday 26 October, 1991 Times as the paper had already gone to the press by the time we finished our meeting at State House on Friday, 25 October, 1991.

Our belief in your integrity remains as expressed to you over both my meeting with you and the subsequent meeting at State House. Any misunderstanding caused by the Advertisement is regretted.

B. N. Mibenge, BPS
Lt. Gen.
MINISTER OF FOREIGN AFFAIRS
AND
CHAIRMAN, EMCO

The Rt. Hon. Justice Telford Georges
Chairman
Commonwealth Observer Group

**LUSAKA
FREEDOM HOUSE**
P.O. BOX 30302 LUSAKA



.....TELEX.....TELEFAX.....

ANNEX XIV

Response to UNIP's Reply



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
Fax: (260) (1) 254005/250995
Telex: ZA44720 PAMHO

c/o Pamodzi Hotel
Church Road
PO Box 35450
Lusaka, Zambia

29 October 1991

Dear General Mubenge,

I write to acknowledge receipt of your letter reference EMCO/TV/90 dated 28 October 1991 in reply to our two letters dated 27 October on the subjects of payment for UNIP's advertisements and the advertisement placed by UNIP's Public Relations Unit in the Times of 25 and 26 October 1991.

I am delighted at your positive response on both these matters, and await the information which the Director General of Zambia National Broadcasting Corporation has been asked to forward to me.

I accept fully your explanation that it was not possible to stop the publication of the advertisement in the Times newspaper on Saturday 26 October 1991 for the reasons given in your letter. Had this fact been communicated to me it would have prevented the misunderstanding that occurred, which was regrettable.

Thanks for your prompt action on these matters and I look forward to your continued co-operation which, as you know, I value most highly.

Yours sincerely,

The Rt. Hon Justice Telford Georges
Chairman
Commonwealth Observer Group

Lt. Gen. Mr B.N. Mibenge, DFS
Minister of Foreign Affairs and
Chairman, EMCO
Freedom House
Lusaka

ANNEX XV

Letter to Chairman of UNIP Campaign on Free TV Airtime



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
Fax: (260) (1) 254005/250995
Telex: ZA44720 PAMHO

c/o Pamodzi Hotel
Church Road
PO Box 35450
Lusaka, Zambia

27 October 1991

Jean General Mibenge,

I write as Chairman of the Commonwealth Observer Group in connection with persistent allegations made to us that UNIP gets free airtime on television for the purposes of political advertisements.

We have also been informed that opposition parties have to pay for similar advertisements according to rates which were increased by some 100% recently.

We raised the issue in the interview with the President, H.E. Dr Kenneth Kaunda, at which you were present, and were told that the allegation concerning UNIP was entirely untrue.

We would find it helpful in preparing our report if we could be assisted by a copy of your election expenditure with respect to matters relevant to the allegation in question.

Yours sincerely,

The Rt. Hon Justice Telford Georges
Chairman
Commonwealth Observer Group

Lt. General B. Mibenge
Chairman, Campaign Committee
UNIP
Freedom House
Cairo Road
Lusaka

ANNEX XVI

Letter from ZNBC on Payments for TV Airtime



ZAMBIA NATIONAL BROADCASTING CORPORATION

Telephone: 220860/74 Telex ZA 41221 Telegrams: BROADCASTING RIDGEWAY

Broadcasting House
P.O. Box 50015
Lusaka
Zambia

*All correspondence to be addressed to
the Director General*

Your Ref

1st November, 1991

Our Ref

The Chairman
Commonwealth Observer Group
070 Pambayi Hotel
P.O. Box 31470
LUSAKA

Attention : THE HON. JUSTICE TELFORD GEORGES

Dear Sir


Re : UNIP POLITICAL ADVERTISEMENTS AND CAMPAIGN
MATERIALS

Thank you very much for your letter dated 27th October, 1991 addressed to the chairman UNIP Election Management Committee Lt. Gen. Mibenge which subsequently has been passed on to us for further action and response. However, bearing in mind the importance of this matter, I would like to confirm that all UNIP Political advertisements have been invoiced according to the airtime allocated to them and that to the best of my knowledge nothing has gone on air free of charge. So far as at 28th of October, 1991 a total sum of K25,966,993.80 has been invoiced for all UNIP political advertisements and so far UNIP has paid K20,751,116.80 against the total bill leaving outstanding balance of K5,215,877.00 to be paid.

Further to the above mentioned amounts attached herewith is a detailed analysis for all bills raised for UNIP campaign advertisements for your perusal scrutiny.

Please do not hesitate to contact the undersign for any queries pertaining to the above mentioned bills. I hope and pray that we will hear from you soon.

Yours faithfully
ZAMBIA NATIONAL BROADCASTING CORPORATION


M. L. C. Zulu
MBA, M. INST. M. INST. P.S. CAPT. (RTD)
COMMERCIAL DIRECTOR

CC : Lt. General B. Nibenge - Chairman
UNIP Election Management Committee
LUSAKA

ANNEX XVII

Letter to MMD on TV Airtime



Zambian Elections

Commonwealth Observer Group

Telephone: (260) (1) 227975-81
Fax: (260) (1) 254005/250995
Telex: ZA44720 PAMHO

c/o Pamodzi Hotel
Church Road
PO Box 35450
Lusaka, Zambia

28 October 1991

Dear Mr Miyanda,

I write as Chairman of the Commonwealth Observer Group in relation to the matter of election expenses particularly in the area of expenditure on advertising.

Our inquiries indicate that reliable information as to the expenditure in these areas will be useful in assessing fairness.

We would ask you to let us have as soon as possible your budget for the elections indicating specially sums spent on advertising.

We have written in similar terms to General Mibenge asking for the same information from UNIP.

Yours sincerely,

The. Rt. Hon. Justice Telford Georges
Chairman
Commonwealth Observer Group

Mr G. Miyanda
National Secretary
Movement for Multi-Party
Democracy (MMD)
Plot No. 8599, Lumumba Road
Lusaka

ANNEX XVIII

Reply from MMD



MMD MOVEMENT FOR MULTI-PARTY DEMOCRACY

Private Bag E365
LUSAKA

Fax: 286104
Tel: 286101/4

MMD/HQ/200/20

29th October 1991

The Rt. Hon. Justice Telford Georges
Chairman
Commonwealth Observer Group
C/O Pamodzi Hotel
Church Road
LUSAKA

Dear Sir,

This is to acknowledge receipt of your letter dated 28th October, 1991 regarding election expenses. As you may be aware, there are no regulations concerning this matter. However, I am taking steps to have this information available to you as soon as possible.

May I take this opportunity to welcome you and your team to Zambia during this historic occasion. I sincerely hope your stay will be enjoyable. I look forward to meeting you in person.

Yours sincerely

A handwritten signature in black ink, appearing to be "Godfrey Miyanda", with a long horizontal line extending to the right.

GODFREY MIYANDA
BRIGADIER GENERAL
NATIONAL SECRETARY

ANNEX XIX

Electoral Commission Voter Education Programme

Voter Education Programme

Presidential and Parliamentary Elections

31st October 1991

As Zambia goes to the polls on Thursday 31 October 1991 to elect the President of the Republic and members of Parliament, there are critical questions to which voters want to have answers. The following are the questions and answers:

1. Who are the voters?

The voters in these elections are registered voters possessing pink voters cards issued either in 1987 or 1990.

Where registered voters have lost, destroyed or defaced their voters cards, they can still vote by obtaining a certificate of registration from their respective Electoral officers four days before polling day.

2. What are the voting hours?

Voting will be between 0600 hours and 1800 hours on 31 October 1991. It is advisable to vote early.

3. What documents are required?

You should have:

- (a) a green national registration card to prove that you are a Zambian;
- and
- (b) a pink voter's registration card issued either in 1987 or 1990 to prove that you are a registered voter or a certificate of registration GEN. 11 issued by the Electoral officer to those who have lost, destroyed or defaced their voter's registration cards.

4. Which is the voting place?

The Electoral officer has established a polling station in each polling district where people registered as voters. A notice to this effect has been or will be given by the Electoral officer. It is at the polling station established in your district where you will vote.

5. How does one vote?

At a polling station each voter will be given two ballot papers – one for the Presidential election and another for Parliamentary election. These ballot papers will contain names of candidates contesting the elections, their parties and symbols. In these ballot papers there is a column where voters will mark 'X' against candidates of their choice.

The illiterates, the blind and the incapacitated can be assisted by either the Presiding officer, a friend or relative to mark a ballot paper according to the voter's choice. It is recommended that such voters request for assistance from friends or relatives.

6. Is the vote secret?

Yes, indeed! It is an offence for anyone to want to know how you voted, neither should you tell anyone how you voted. No one is permitted to scrutinise your ballot paper except the High Court in the event of an election petition.

7. Is anyone compelled to vote or not to vote?

To vote or not to vote in an election is a voter's free choice. No one should, therefore, compel anyone through threats or other means to vote when one does not want, or not to vote when one wants, to do so. You should not be intimidated.

8. Is anyone allowed to get my voter's registration card?

Nobody is allowed. It is, in fact, an offence for anyone to ask a voter to produce a voter's registration card or to withdraw it from him without the voter's consent. Refuse to surrender your voter's registration card to anyone.

9. What offences can be committed at a polling station?

There are several offences which can be committed. The following are just a few:

- (a) voting twice in an election is personation;
- (b) voting in the name of some other person is personation;
- (c) possessing a ballot paper which is not issued to a voter;
- (d) consciously tearing a ballot paper;
- (e) consciously walking away with a ballot paper from the polling station;
- (f) tampering, in anyway, with a ballot box;
- (g) canvassing for votes within four hundred metres of the polling station; and
- (h) putting up notices or making signs within one hundred metres of the polling station.



People are not allowed to wear material - T-shirts or Chitenge depicting a political Party and/or its symbol within this radius.



BE WISE: KNOW YOUR RIGHTS!!



ANNEX XX



Valid and Invalid Ballot Papers



VALID BALLOT PAPERS (Specimen)



JARSONS Gordon Tom	BHAKTA James		✕
SINJA David Fred	LEWIS Keri John		



JARSONS Gordon Tom	BHAKTA James		
SINJA David Fred	LEWIS Keri John		

JARSONS Gordon Fred	BHAKTA James		
SINJA Gordon Fred	LEWIS Keri John		



JARSONS Gordon Tom	BHAKTA James		
SINJA David Fred	LEWIS Keri John		/

JARSONS Gordon Tom	BHAKTA James		
SINJA ✕ David Fred	LEWIS Keri John		



JARSONS Gordon Tom	BHAKTA James		YES
SINJA David Fred	LEWIS Keri John		NO

JARSON X Gordon Tom	BHAKTA X Keri John		X
SINJA David Fred	LEWIS Keri John		



INVALID BALLOT PAPERS

JARSONS Gordon Tom	BHAKTA James		X Mukanga
SINJA David Fred	LEWIS Keri John		



Name
can
identify
voter

JARSONS Gordon Tom	BHAKTA James		X
SINJA David Fred	LEWIS Keri John		

Invalid
for
uncerti
nty

JARSONS Gordon Tom	BHAKTA James		
SINJA X David Fred	LEWIS Keri John		

Voted
for more
than one
candidate

JARSONS Gordon Tom	BHAKTA James		
SINJA David Fred <i>RSR</i>	LEWIS Keri John		✓

Initials
can
identify
voter